

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 3:23-CR-00062-TSL-LGI

BRETT MORRIS MCALPIN
JEFFREY ARWOOD MIDDLETON
CHRISTIAN LEE DEDMON
HUNTER THOMAS ELWARD
DANIEL READY OPDYKE
JOSHUA ALLEN HARTFIELD

DEFENDANTS

CHANGE OF PLEA PROCEEDINGS
BEFORE THE HONORABLE TOM S. LEE,
UNITED STATES DISTRICT COURT JUDGE,
AUGUST 3, 2023,
JACKSON, MISSISSIPPI

(APPEARANCES NOTED HEREIN.)

REPORTED BY:

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A P P E A R A N C E S :

FOR THE GOVERNMENT: ERIN O. CHALK, ESQ.
GLENDA R. HAYNES, ESQ.
CHRISTOPHER PERRAS, ESQ.
DANIEL GRUNERT, ESQ.

FOR THE DEFENDANTS: AAFRAM Y. SELLERS, ESQ.
For Defendant Brett Morris McAlpin

E. CARLOS TANNER, III, ESQ.
For Defendant Jeffrey Arwood Middleton

MICHAEL V. CORY, ESQ.
For Defendant Christian Lee Dedmon

JOSEPH M. HOLLOMON, ESQ.
For Defendant Hunter Thomas Elward

JASON M. KIRSCHBERG, ESQ., AND
JEFFERY P. REYNOLDS, ESQ.
For Defendant Daniel Ready Opdyke

VICKI L. GILLIAM, ESQ., AND
ROBERT F. LINGOLD, JR., ESQ.
For Defendant Joshua Allen Hartfield

ALSO PRESENT:

MARY HELEN WALL, ESQ.

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1 **IN OPEN COURT, AUGUST 3, 2023**

2
3 THE COURT: Be seated.

4 The case that is presently before the Court this
5 morning is No. 3:23-62 on the criminal docket, United
6 States versus Brett Morris McAlpin, Jeffrey Arwood
7 Middleton, Christian Lee Dedmon, Hunter Thomas Elward,
8 Daniel Ready Opdyke, and Joshua Allen Hartfield, before the
9 Court today on the Court's understanding that the
10 defendants, having been before the Court, the magistrate
11 judge, earlier this morning and having entered pleas of not
12 guilty on an information filed, are now before the Court to
13 enter a plea of guilty on the charges.

14 Is the Government ready for trial -- for the
15 proceeding?

16 MS. CHALK: We are, Your Honor. And if I may for
17 the record --

18 THE COURT: Yes, ma'am.

19 MS. CHALK: -- Erin Chalk on behalf of the United
20 States for the Southern District of Mississippi. I have
21 Christopher Perras and John -- and, excuse me -- Daniel
22 Grunert from the Civil Rights Division, Glenda Haynes from
23 the U.S. Attorney's Office, and Mary Helen Wall designated
24 as a special assistant.

25 THE COURT: Thank you. And the Government is ready

1 to proceed?

2 MS. CHALK: We are, Your Honor.

3 THE COURT: Are the defendants ready to proceed? If
4 you lawyers will do so, identify yourselves for the record.

5 MR. SELLERS: Yes, sir, Your Honor. If I may
6 proceed on behalf of Brett Morris McAlpin, Aafram Sellers,
7 and we're ready to proceed.

8 MR. TANNER: Good morning, Your Honor. Carlos
9 Tanner on behalf of Jeffrey Arwood Middleton, and
10 Mr. Middleton is ready to proceed.

11 MR. CORY: Your Honor, Michael Cory on behalf of
12 Christian Dedmon, and Mr. Dedmon is ready to proceed.

13 MR. HOLLOMON: Good morning, Your Honor. Joe
14 Hollomon on behalf of Hunter Elward. He is present this
15 morning, and we're prepared to proceed.

16 MR. REYNOLDS: Your Honor, Jeff Reynolds on behalf
17 of Daniel Opdyke. I and my partner, Jason Kirschberg,
18 represent him, and Mr. Opdyke is here and ready to proceed.

19 MS. GILLIAM: Your Honor, Vicki Gilliam and Robert
20 Lingold on behalf of Joshua Allen Hartfield. We're ready
21 to proceed.

22 THE COURT: All right. You can be seated.

23 Let the defendants come to the podium. I would like
24 for you to be positioned in the order in which your names
25 appear on the information. You can come around and...

1 The Court is informed that you all wish to change
2 the pleas previously entered this morning of not guilty to
3 a plea of guilty to the information.

4 Is that correct, Mr. McAlpin?

5 DEFENDANT MCALPIN: Yes, Your Honor.

6 THE COURT: Mr. Middleton?

7 DEFENDANT MIDDLETON: Yes, Your Honor.

8 THE COURT: Mr. Dedmon?

9 DEFENDANT DEDMON: Yes, sir.

10 THE COURT: Mr. Elward?

11 DEFENDANT ELWARD: Yes, sir.

12 THE COURT: Mr. Opdyke?

13 DEFENDANT OPDYKE: Yes, Your Honor.

14 THE COURT: Opdyke.

15 And, Mr. Hartfield?

16 DEFENDANT HARTFIELD: Yes, sir, Your Honor.

17 THE COURT: Before accepting your pleas, there's a
18 series of questions that I'll need to ask to be sure that
19 the pleas are valid. If you don't understand a question or
20 at any time need to talk to your lawyer, you should do so,
21 because it's essential to a valid plea that you understand
22 questions before you undertake to answer them.

23 Let the clerk administer the oath to the defendants.

24 *(Whereupon, the defendants were placed under oath.)*

25 THE COURT: Do you understand that, having been

1 sworn, you could be subjecting yourselves to a future
2 prosecution for perjury if you don't answer truthfully the
3 questions that I pose to you this morning, perjury being
4 the false swearing under oath?

5 Do you understand that, Mr. McAlpin?

6 DEFENDANT MCALPIN: Yes, Your Honor.

7 THE COURT: Mr. Middleton?

8 DEFENDANT MIDDLETON: Yes, Your Honor.

9 THE COURT: Mr. Dedmon?

10 DEFENDANT DEDMON: Yes, sir.

11 THE COURT: Mr. Elward?

12 DEFENDANT ELWARD: Yes, Your Honor.

13 THE COURT: Mr. Opdyke?

14 DEFENDANT OPDYKE: Yes, Your Honor.

15 THE COURT: And, Mr. Hartfield?

16 DEFENDANT HARTFIELD: Yes, Your Honor.

17 THE COURT: I'm going to take each one of you
18 individually and ask you a few questions.

19 Mr. McAlpin, how old are you?

20 DEFENDANT MCALPIN: I'm 52 years old.

21 THE COURT: What education do you have?

22 DEFENDANT MCALPIN: I have a bachelor's degree.

23 THE COURT: Where do you live?

24 DEFENDANT MCALPIN: I live in Braxton, Mississippi.

25 THE COURT: What is your occupation?

1 DEFENDANT MCALPIN: I'm a former chief investigator
2 for the Rankin County Sheriff's Department.

3 THE COURT: Are you married?

4 DEFENDANT MCALPIN: No, sir.

5 THE COURT: Have you ever been married?

6 DEFENDANT MCALPIN: Yes, sir.

7 THE COURT: Do you have children?

8 DEFENDANT MCALPIN: Yes, sir.

9 THE COURT: How many children and what ages?

10 DEFENDANT MCALPIN: I have two boys, 23 and age 20.

11 THE COURT: Mr. Middleton, how old are you?

12 DEFENDANT MIDDLETON: Forty-five years old, Your
13 Honor.

14 THE COURT: What education do you have?

15 DEFENDANT MIDDLETON: High school diploma.

16 THE COURT: What has been your occupation?

17 DEFENDANT MIDDLETON: Lieutenant with the Rankin
18 County Sheriff's Department.

19 THE COURT: Where do you live?

20 DEFENDANT MIDDLETON: I live in Florence,
21 Mississippi.

22 THE COURT: Are you married?

23 DEFENDANT MIDDLETON: Yes, sir.

24 THE COURT: Do you have children?

25 DEFENDANT MIDDLETON: Yes, Your Honor.

1 THE COURT: How many and what are their ages?

2 DEFENDANT MIDDLETON: I have two. I have my
3 daughter that's 12 and a son that's 15.

4 THE COURT: Mr. Dedmon, how old are you?

5 DEFENDANT DEDMON: Twenty-eight.

6 THE COURT: What education do you have?

7 DEFENDANT DEDMON: High school diploma.

8 THE COURT: What is your occupation?

9 DEFENDANT DEDMON: Former narcotics investigator for
10 the Rankin County Sheriff's Office.

11 THE COURT: Where is your home?

12 Dd: Pearl, Mississippi. Pearl, Mississippi.

13 THE COURT: Are you married?

14 Dd: No, sir.

15 THE COURT: Have you ever been married?

16 DEFENDANT DEDMON: Yes, sir.

17 THE COURT: Do you have children?

18 DEFENDANT DEDMON: Yes, sir.

19 THE COURT: How old are they and -- what are their
20 ages?

21 DEFENDANT DEDMON: One daughter who's six.

22 THE COURT: Mr. Elward, am I pronouncing your name
23 correctly?

24 DEFENDANT ELWARD: Yes, Your Honor.

25 THE COURT: How old are you?

1 DEFENDANT ELWARD: Thirty-one years old.

2 THE COURT: What education do you have?

3 DEFENDANT ELWARD: High school diploma.

4 THE COURT: Where is your home?

5 DEFENDANT ELWARD: Florence, Mississippi.

6 THE COURT: What has been your occupation?

7 DEFENDANT ELWARD: A patrol deputy for the Rankin
8 County Sheriff's Department.

9 THE COURT: Are you married?

10 DEFENDANT ELWARD: I am.

11 THE COURT: Do you have children?

12 DEFENDANT ELWARD: I do.

13 THE COURT: How many children and how old are they?

14 DEFENDANT ELWARD: I got twin boys just turned nine
15 and a younger one that's six.

16 THE COURT: Mr. Opdyke, is that the correct
17 pronunciation of your name, Opdyke?

18 DEFENDANT OPDYKE: Yes, Your Honor.

19 THE COURT: How old are you?

20 DEFENDANT OPDYKE: Twenty-seven.

21 THE COURT: What education do you have?

22 DEFENDANT OPDYKE: High school diploma.

23 THE COURT: What is your occupation?

24 DEFENDANT OPDYKE: Former patrol deputy for the
25 Rankin County Sheriff's Department.

1 THE COURT: Where is your home?

2 DEFENDANT OPDYKE: Florence, Mississippi.

3 THE COURT: Are you married?

4 DEFENDANT OPDYKE: Yes, sir.

5 THE COURT: Do you have children?

6 DEFENDANT OPDYKE: Yes, sir.

7 THE COURT: How many children, and what are their
8 ages?

9 DEFENDANT OPDYKE: One son. He's 11.

10 THE COURT: Mr. Hartfield, how old are you?

11 DEFENDANT HARTFIELD: Thirty-one, sir.

12 THE COURT: What education do you have?

13 DEFENDANT HARTFIELD: High school, Your Honor.

14 THE COURT: What is your occupation?

15 DEFENDANT HARTFIELD: Former narcotics investigator
16 at Richland Police Department.

17 THE COURT: Where is your home?

18 DEFENDANT HARTFIELD: Florence, Mississippi.

19 THE COURT: Are you married?

20 DEFENDANT HARTFIELD: Yes, sir, I am.

21 THE COURT: Do you have children?

22 DEFENDANT HARTFIELD: Yes, sir, I do. Seven and
23 six.

24 THE COURT: Have you taken any drugs, medicine, or
25 pills or drunk any alcoholic beverages over the last

1 24 hours, Mr. McAlpin?

2 DEFENDANT MCALPIN: No, Your Honor.

3 THE COURT: Mr. Middleton.

4 DEFENDANT MIDDLETON: No, Your Honor.

5 THE COURT: Mr. Dedmon?

6 Dd: No, sir.

7 THE COURT: Mr. Elward?

8 DEFENDANT ELWARD: No, sir.

9 THE COURT: Mr. Opdyke?

10 DEFENDANT OPDYKE: Yes, sir.

11 THE COURT: What have you taken?

12 DEFENDANT OPDYKE: Drank alcohol yesterday

13 afternoon.

14 THE COURT: I didn't understand specifically.

15 DEFENDANT OPDYKE: I drank alcohol yesterday

16 afternoon.

17 THE COURT: How much and --

18 DEFENDANT OPDYKE: A couple beers about 3:00 in the

19 afternoon.

20 THE COURT: Would that in any way affect your

21 ability to be rational and think this morning?

22 DEFENDANT OPDYKE: No, Your Honor.

23 THE COURT: Mr. Hartfield?

24 DEFENDANT HARTFIELD: Yes, sir. Prescription

25 medication.

1 THE COURT: Does it influence your mental processes?

2 DEFENDANT HARTFIELD: No, sir, Your Honor, it does
3 not.

4 THE COURT: All right, sir.

5 Have you ever been treated by a doctor or other
6 medical professional, either in a hospital or a clinic,
7 under any circumstances, Mr. McAlpin?

8 DEFENDANT MCALPIN: No, Your Honor.

9 DEFENDANT MIDDLETON: No, Your Honor.

10 DEFENDANT ELWARD: No, Your Honor.

11 THE COURT: With a mental sickness, disease, or
12 disorder?

13 DEFENDANT MCALPIN: No, Your Honor.

14 THE COURT: All right.

15 DEFENDANT MIDDLETON: No, Your Honor.

16 DEFENDANT ELWARD: No, Your Honor.

17 DEFENDANT DEDMON: No, Your Honor.

18 DEFENDANT OPDYKE: No, sir.

19 DEFENDANT HARTFIELD: No, Your Honor.

20 THE COURT: In order to enter a valid plea, you must
21 be mentally competent to do so, which means that you must
22 be able to understand what is happening, what this hearing
23 is about, its seriousness and potential consequences to
24 your future, and you must be able to consult with your
25 attorney or attorneys and understand their advice to you

1 and act accordingly.

2 Under that definition, are you mentally competent to
3 enter a valid plea?

4 DEFENDANT MCALPIN: Yes, Your Honor.

5 THE COURT: Are you sir?

6 DEFENDANT MIDDLETON: Yes, Your Honor.

7 DEFENDANT DEDMON: Yes, Your Honor.

8 DEFENDANT ELWARD: Yes, Your Honor.

9 DEFENDANT OPDYKE: Yes, Your Honor.

10 DEFENDANT HARTFIELD: Yes, Your Honor.

11 THE COURT: You must have also been competent at the
12 time alleged in the information, which is on or about
13 January 24th, 2003 [sic]. There's a different definition
14 of competence applicable for this purpose. You must have
15 been able on or about that date to know the difference
16 between right and wrong.

17 Back in January of this year, did you know right
18 from wrong, Mr. McAlpin?

19 DEFENDANT MCALPIN: Yes, Your Honor.

20 THE COURT: Mr. Middleton?

21 DEFENDANT MIDDLETON: Yes, Your Honor.

22 THE COURT: Mr. Dedmon?

23 DEFENDANT DEDMON: Yes, Your Honor.

24 THE COURT: Mr. Elward?

25 DEFENDANT ELWARD: Yes, Your Honor.

1 THE COURT: Mr. Opdyke?

2 DEFENDANT OPDYKE: Yes, Your Honor.

3 THE COURT: Mr. Hartfield?

4 DEFENDANT HARTFIELD: Yes, Your Honor.

5 THE COURT: I'll ask counsel for Mr. McAlpin what
6 position you take as to your client's competence to enter a
7 plea and his competence at the time alleged in the
8 information.

9 MR. SELLERS: Your Honor, we raise no issue as to
10 competency at either time.

11 THE COURT: What's your position, Mr. Tanner?

12 MR. TANNER: Your Honor, on behalf of Mr. Middleton,
13 we raise no issues as to his competency.

14 THE COURT: And with regard to Mr. Dedmon, sir?

15 MR. CORY: On behalf of Mr. Dedmon, we raise no
16 issues of competency.

17 THE COURT: What position do you take with regard to
18 Mr. Elward?

19 MR. HOLLOMON: Your Honor, on behalf of Mr. Elward,
20 we raise no issue of competence.

21 THE COURT: Mr. Opdyke?

22 MR. REYNOLDS: Yes, sir. Jeff Reynolds on behalf of
23 Mr. Opdyke.

24 Your Honor, we don't raise issues of competence as
25 to the two incidents charged, the one in December of 2022

1 and the one in January of this year.

2 THE COURT: All right.

3 MR. LINGOLD: Your Honor, Robert Lingold on behalf
4 of Joshua Hartfield.

5 We raise no issue as to competence.

6 THE COURT: I'm realizing that, of course, there's a
7 second information, and I won't ask any questions about
8 that until another hearing later today.

9 I conclude that based on my observation of you, your
10 respective demeanors, and your answers to questions, and
11 reinforced by your lawyers' expression of opinion that you
12 are all indeed competent to enter a plea and that you were
13 competent at the time alleged in the information.

14 Have you had an adequate or satisfactory opportunity
15 to discuss your case with your attorney or attorneys and
16 consider any possible defenses to the charges?
17 Mr. Middleton -- McAlpin, rather?

18 DEFENDANT MCALPIN: Yes, Your Honor.

19 THE COURT: Mr. Middleton?

20 DEFENDANT MIDDLETON: Yes, Your Honor.

21 THE COURT: Mr. Dedmon?

22 DEFENDANT DEDMON: Yes, Your Honor.

23 THE COURT: Mr. Elward?

24 DEFENDANT ELWARD: Yes, Your Honor.

25 THE COURT: Mr. Opdyke?

1 DEFENDANT OPDYKE: Yes, Your Honor.

2 THE COURT: Mr. Hartfield?

3 DEFENDANT HARTFIELD: Yes, Your Honor.

4 THE COURT: Are you satisfied with your attorney's
5 representation, the amount of time that he or she has
6 dedicated to your case, and that -- the advice you received
7 from them? Mr. McAlpin?

8 DEFENDANT MCALPIN: Yes, Your Honor.

9 THE COURT: Mr. Middleton?

10 DEFENDANT MIDDLETON: Yes, Your Honor.

11 THE COURT: Mr. Dedmon?

12 DEFENDANT DEDMON: Yes, Your Honor.

13 THE COURT: Mr. Opdyke?

14 DEFENDANT OPDYKE: Yes, Your Honor.

15 THE COURT: Mr. Hartfield?

16 DEFENDANT HARTFIELD: Yes, Your Honor.

17 MR. HOLLOMON: Your Honor, I believe Mr. Elward
18 should respond.

19 THE COURT: Mr. Elward, I'm -- go ahead.

20 DEFENDANT ELWARD: Yes, Your Honor.

21 THE COURT: Yes, I skipped, and I was coming back to
22 that.

23 All of you have certain rights under the
24 Constitution and laws of this country that I will now
25 explain to you. You have a right to be tried in front of a

1 jury of 12 people. All of them would have to vote guilty;
2 that is, unanimous, before you could be found guilty.

3 Do you understand that, Mr. McAlpin?

4 DEFENDANT MCALPIN: Yes, Your Honor.

5 THE COURT: Mr. Middleton?

6 DEFENDANT MIDDLETON: Yes, Your Honor.

7 THE COURT: Mr. Dedmon?

8 DEFENDANT DEDMON: Yes, Your Honor.

9 THE COURT: Mr. Elward?

10 DEFENDANT ELWARD: Yes, Your Honor.

11 THE COURT: Mr. Opdyke?

12 DEFENDANT OPDYKE: Yes, Your Honor.

13 THE COURT: Mr. Hartfield?

14 DEFENDANT HARTFIELD: Yes, Your Honor.

15 THE COURT: Under our system of justice, you're
16 presumed to be innocent. You don't have to prove your
17 innocence. If your cases were to go to trial, the
18 Government, the prosecution, would have the burden of
19 proving your guilt by competent evidence beyond a
20 reasonable doubt.

21 Do you understand that, Mr. McAlpin?

22 DEFENDANT MCALPIN: Yes, Your Honor.

23 THE COURT: Mr. Middleton?

24 DEFENDANT MIDDLETON: Yes, Your Honor.

25 THE COURT: Mr. Dedmon?

1 DEFENDANT DEDMON: Yes, Your Honor.

2 THE COURT: Mr. Elward?

3 DEFENDANT ELWARD: Yes, Your Honor.

4 THE COURT: Mr. Opdyke?

5 DEFENDANT OPDYKE: Yes, Your Honor.

6 THE COURT: Mr. Hartfield?

7 DEFENDANT HARTFIELD: Yes, Your Honor.

8 THE COURT: At a trial, the Government would have to
9 bring to court the witnesses against you who would testify
10 in front of you and your lawyer or lawyers. Your counsel
11 would have the right to object to testimony on the basis of
12 it being inadmissible under the rules of evidence and could
13 cross-examine witnesses and present testimony in your own
14 defenses, including your own testimony if you decide to
15 testify. And there would be available to you the subpoena
16 power of the Court to compel or require the attendances --
17 the attendance of witnesses that you wanted to have here.

18 Do you understand that, Mr. McAlpin?

19 DEFENDANT MCALPIN: Yes, Your Honor.

20 THE COURT: Mr. Middleton?

21 DEFENDANT MIDDLETON: Yes, Your Honor.

22 THE COURT: Mr. Dedmon?

23 DEFENDANT DEDMON: Yes, Your Honor.

24 THE COURT: Mr. Opdyke? Mr. Elward and then
25 Mr. Opdyke.

1 DEFENDANT ELWARD: Yes, Your Honor.

2 DEFENDANT OPDYKE: Yes, Your Honor.

3 THE COURT: And, Mr. Hartfield?

4 DEFENDANT HARTFIELD: Yes, Your Honor.

5 THE COURT: I just referenced the fact you could
6 testify. You would also have the right not to testify,
7 which means that if you elected not to testify, the
8 Government -- no one on behalf of the Government could make
9 any comment or reference whatsoever to the fact that you
10 didn't testify. For example, that it's suspicious or maybe
11 you must be guilty since you didn't defend yourself in
12 testimony.

13 Do you understand that?

14 DEFENDANT MCALPIN: Yes, Your Honor.

15 THE COURT: Do you also?

16 DEFENDANT MIDDLETON: Yes, Your Honor.

17 THE COURT: Mr. Dedmon?

18 DEFENDANT DEDMON: Yes, Your Honor.

19 THE COURT: Mr. Elward?

20 DEFENDANT ELWARD: Yes, Your Honor.

21 THE COURT: Mr. Opdyke?

22 DEFENDANT OPDYKE: Yes, Your Honor.

23 THE COURT: Mr. Hartfield?

24 DEFENDANT HARTFIELD: Yes, Your Honor.

25 THE COURT: If you go forward with guilty pleas,

1 you'll be waiving, or giving up, your right to a trial and
2 these various rights that I've just now explained to you.
3 Once I receive your plea, you won't be able then to change
4 your mind, withdraw your plea, and expect to have a trial.

5 Do you understand that, Mr. McAlpin?

6 DEFENDANT MCALPIN: Yes, Your Honor.

7 THE COURT: Mr. Middleton?

8 DEFENDANT MIDDLETON: Yes, Your Honor.

9 THE COURT: Mr. Dedmon?

10 DEFENDANT DEDMON: Yes, Your Honor.

11 THE COURT: Mr. Elward?

12 DEFENDANT ELWARD: Yes, Your Honor.

13 THE COURT: Mr. Opdyke?

14 DEFENDANT OPDYKE: Yes, Your Honor.

15 THE COURT: Mr. Hartfield?

16 DEFENDANT HARTFIELD: Yes, Your Honor.

17 THE COURT: Also, before I will accept your pleas,
18 I'll need to be satisfied that the pleas are appropriate,
19 which means that you will have to give up, or waive, your
20 right to remain silent, your right not to incriminate
21 yourself, and acknowledge your guilt before I'll accept
22 your pleas.

23 Do you realize that, Mr. McAlpin?

24 DEFENDANT MCALPIN: Yes, sir.

25 THE COURT: Mr. Middleton?

1 DEFENDANT MIDDLETON: Yes, Your Honor.

2 THE COURT: Mr. Dedmon?

3 DEFENDANT DEDMON: Yes, sir.

4 THE COURT: Mr. Elward?

5 DEFENDANT ELWARD: Yes, Your Honor.

6 THE COURT: Mr. Opdyke?

7 DEFENDANT OPDYKE: Yes, Your Honor.

8 THE COURT: And Mr. Hartfield?

9 DEFENDANT HARTFIELD: Yes, Your Honor.

10 THE COURT: After this explanation by me and having
11 heard the explanation of your right to a trial and all the
12 other rights, I'll ask you whether you still want to go
13 forward with a guilty plea.

14 Mr. McAlpin?

15 DEFENDANT MCALPIN: Yes, Your Honor.

16 THE COURT: Mr. Middleton?

17 DEFENDANT MIDDLETON: Yes, Your Honor.

18 THE COURT: Mr. Dedmon?

19 DEFENDANT DEDMON: Yes, sir.

20 THE COURT: Mr. Elward?

21 DEFENDANT ELWARD: Yes, Your Honor.

22 THE COURT: Mr. Opdyke?

23 DEFENDANT OPDYKE: Yes, Your Honor.

24 THE COURT: Mr. Hartfield?

25 DEFENDANT HARTFIELD: Yes, Your Honor.

1 THE COURT: I'm going to now make an explanation of
2 the information that's been filed. Consists of 13 counts,
3 some of them applicable to all of you, others to some of
4 you. All of the counts state and then reallege that at all
5 times on the day of this -- the events of this information,
6 Mr. McAlpin, you were employed as the chief investigator
7 with the Rankin County Sheriff's Office in Rankin County.

8 Mr. Middleton, you were employed as a lieutenant
9 with the Rankin County Sheriff's Office.

10 Mr. Dedmon, you were employed as a narcotics
11 investigator by the Rankin County Sheriff's Office.

12 Mr. Elward, you were employed as a patrol deputy
13 with the Rankin County Sheriff's Office.

14 And, Mr. Opdyke, you were employed as a patrol
15 deputy with the Rankin County Sheriff's Office.

16 And, Mr. Hartfield, you were employed as a narcotics
17 investigator with the Richland Police Department.

18 And then there are a number of paragraphs setting
19 out facts, introductory facts, background information, and
20 then events detailing alleged acts.

21 Count 1 then specifically alleges that on or about
22 January 24th, 2023, in Rankin County, in the Northern
23 Division of the Southern District of Mississippi, and it
24 names all six of you, while acting under color of law,
25 knowingly and willfully conspired and agreed to injure,

1 oppress, threaten, and intimidate MJ and EP, the initials
2 of the two individuals, in their free exercise and
3 enjoyment of the right, secured to them by the Constitution
4 and laws of the United States, to be free from unreasonable
5 searches and seizures, which includes the right to be free
6 from unlawful, warrantless entry into a home and from the
7 use of unreasonable force by a law enforcement officer.

8 In furtherance of the conspiracy and to effect the
9 objects thereof, you, the six of you, committed the overt
10 acts set forth in other paragraphs 21 through 56 of the
11 information.

12 The essential elements of this crime, this criminal
13 offense, are explained as follows: Title 18, United States
14 Code 241 makes it a crime for anyone to knowingly agree
15 with another person to injure, oppress, threaten, or
16 intimidate another person in the free exercise and
17 enjoyment of the rights secured to him by the Constitution
18 and laws of the United States. And there are four elements
19 or components of this charge:

20 First, that the defendants entered into a conspiracy
21 to injure, oppress, threaten, or intimidate one or more
22 persons.

23 Second, that they specifically intended by the
24 conspiracy to hinder, prevent, or interfere with MJ's and
25 EP's enjoyment of the rights secured by the Constitution or

1 laws of the United States. The constitutional right at
2 issue in Count 1 is the right to be free from unreasonable
3 searches and seizures, which includes the right to be free
4 from unlawful, warrantless entry into a home and the right
5 to be free from the use of unreasonable force by a law
6 enforcement officer.

7 Third, that the defendants acted under color of law.

8 And, fourth, that at least one member of the
9 conspiracy committed an overt act in furtherance of the
10 conspiracy.

11 There are four elements that are required to
12 establish a Fourth Amendment violation under a malicious
13 prosecution theory, and they are:

14 One, that the defendants made, influenced, or
15 participated in the decision to bring criminal charges
16 against the defendant.

17 Two, that there was no probable cause for the
18 prosecution.

19 Third, as a consequence, the victims suffered a
20 deprivation of liberty apart from the initial arrest.

21 And, fourth, that the criminal proceeding was
22 resolved in the victim's favor.

23 And a definition of conspiracy is an agreement
24 between two or more persons to join together to accomplish
25 some unlawful purpose. It's a kind of partnership in crime

1 in which each member of the conspiracy becomes the agent of
2 every other member.

3 Now, after that explanation by me, I'll ask you
4 whether you understand with what criminal offense you're
5 charged in Count 1 of the indictment, Mr. McAlpin?

6 DEFENDANT MCALPIN: Yes, sir.

7 THE COURT: Mr. Middleton?

8 DEFENDANT MIDDLETON: Yes, Your Honor.

9 THE COURT: Mr. Dedmon?

10 DEFENDANT DEDMON: Yes, sir.

11 THE COURT: Mr. Elward?

12 DEFENDANT ELWARD: Yes, Your Honor.

13 THE COURT: Mr. Opdyke?

14 DEFENDANT OPDYKE: Yes, Your Honor.

15 THE COURT: Mr. Hartfield?

16 DEFENDANT HARTFIELD: Yes, Your Honor.

17 THE COURT: And let me say that some of the -- after
18 this first one, some of the counts charge violations of the
19 same or similar statutes or laws, and much of the language
20 regarding the essential elements of these respective
21 criminal offenses is similar and repetitious, even
22 identical in some respects. But I want to be sure that
23 there's an accurate, clear, and complete explanation for
24 each one. And there's going to be some repetition, but
25 many of these charges are similar, but I'm going to cover

1 all the elements with one each.

2 Count 2 is as follows, and of course there's the
3 introductory part of your capacity since you were acting in
4 the introductory paragraphs. Then, specifically, Count 2
5 alleges that on or about January 24th, 2023, in Rankin
6 County, all six of you, while acting under color of law and
7 aiding and abetting one another, willfully deprived MJ of
8 the right, secured and protected by the Constitution and
9 laws of the United States, to be free from unreasonable
10 seizures, which includes the right to be free from the use
11 of unreasonable force by a law enforcement officer.

12 Specifically, the defendants, one, physically
13 assaulted MJ while he was handcuffed and compliant by
14 punching and kicking him; Tasing him; throwing eggs at him;
15 and pouring milk, alcohol, and chocolate syrup over his
16 head and into his mouth; and, two, failed to intervene to
17 protect MJ from being assaulted, despite the opportunity to
18 do so. This offense involved the use of dangerous weapons
19 and resulted in bodily injury to MJ.

20 Now, the essential elements of the offense described
21 in Count 2 are now explained. Title 18, United States
22 Code, Section 242 makes it a crime for anyone acting under
23 color of law to willfully deprive any person of a right
24 secured by the Constitution or laws of the United States.

25 There are four elements of this crime:

1 First, that the defendants, all of you charged,
2 deprived a person of a right secured by the Constitution or
3 laws of the United States by committing one or more of the
4 acts charged in the information. The constitutional right
5 at issue in Count 2 is MJ's right to be free from
6 unreasonable seizures, which includes the right to be free
7 from the use of unreasonable force by a law enforcement
8 officer.

9 Second, that the defendants acted willfully; that
10 is, if they committed such act or acts with a bad purpose
11 to disobey or disregard the law specifically intending to
12 deprive the person of that right.

13 Third, that they acted under color of law.

14 And, fourth, that bodily injury resulted from the
15 defendants' conduct or that the offense involved the use of
16 a dangerous weapon.

17 Definition of "bodily injury" is a cut, abrasion,
18 bruise, burn, or disfigurement; physical pain, illness,
19 impairment of a function of a bodily member, organ, or
20 mental faculty; or any other injury to the body, no matter
21 how temporary.

22 Following that explanation, I'll ask each of you
23 whether you understand with what criminal offense you're
24 charged in Count 1 -- Count 2, rather, of the information.

25 Mr. McAlpin?

1 DEFENDANT MCALPIN: Yes, Your Honor.

2 THE COURT: Mr. Middleton?

3 DEFENDANT MIDDLETON: Yes, Your Honor.

4 THE COURT: Mr. Dedmon?

5 DEFENDANT DEDMON: Yes, Your Honor.

6 THE COURT: Mr. Elward?

7 DEFENDANT ELWARD: Yes, Your Honor.

8 THE COURT: Mr. Opdyke?

9 DEFENDANT OPDYKE: Yes, Your Honor.

10 THE COURT: Mr. Hartfield?

11 DEFENDANT HARTFIELD: Yes, Your Honor.

12 THE COURT: Count 3 realleges all of the first 81
13 paragraphs, and then paragraph 87 specifically charges,
14 again, all six of you, on or about January 24th, 2023, in
15 Rankin County, Mississippi, while acting under color of law
16 and aiding and abetting one another, willfully deprived EP
17 of the right secured and protected by the Constitution and
18 laws of the United States to be free from unreasonable
19 seizures, which includes the right to be free from the use
20 of unreasonable force by a law enforcement officer.

21 Specifically, you're all charged with physically --
22 and there are two specifically: One, physically assaulted
23 EP while he was handcuffed and compliant by punching and
24 kicking him; striking him with objects, including a metal
25 sword, pieces of wood, and a wooden kitchen implement;

1 Tasing him; throwing eggs at him; and pouring milk,
2 alcohol, and chocolate syrup over his head and into his
3 mouth; and, two, failed to intervene to protect EP from
4 being assaulted, despite the opportunity to do so. This
5 offense involved the use of a dangerous weapons and
6 resulted in bodily injury to EP.

7 The essential elements charged in Count 3 are as
8 follows: Title 18, United States Code, Section 242 makes
9 it a crime for anyone acting under color of law to
10 willfully deprive any person of a right secured by the
11 Constitution or the laws of the United States.

12 There are four elements of this crime:

13 First, that the defendants deprived a person of a
14 right secured by the Constitution or laws of the United
15 States by committing one or more of the acts charged in the
16 information. The constitutional right at issue is Count
17 3 -- in Count 3 is EP's right to be free from unreasonable
18 seizures, which includes the right to be free from the use
19 of unreasonable force by a law enforcement officer.

20 Second, that the defendants acted willfully; that
21 is, that they committed such act or acts with a bad purpose
22 to disobey or disregard the law, specifically intending to
23 deprive the person of that right.

24 Third, that they acted under color of law.

25 And, fourth, that bodily injury resulted from the

1 defendants' conduct, or that the offense involved the use
2 of a dangerous weapon. And I've given the definition of
3 bodily injury, and that's apparent.

4 Do you understand the essential elements of the
5 crime charged in Count 3 of the indictment?

6 DEFENDANT MCALPIN: Yes, Your Honor.

7 THE COURT: Do you also?

8 DEFENDANT MIDDLETON: Yes, Your Honor.

9 THE COURT: Mr. Dedmon?

10 DEFENDANT DEDMON: Yes, Your Honor.

11 THE COURT: Mr. Elward?

12 DEFENDANT ELWARD: Yes, Your Honor.

13 THE COURT: Mr. Opdyke?

14 DEFENDANT OPDYKE: Yes, Your Honor.

15 THE COURT: And Mr. Hartfield?

16 DEFENDANT HARTFIELD: Yes, Your Honor.

17 THE COURT: Under Count 4, Mr. Dedmon, you're
18 charged as follows: On or about January 24th, 2023, in
19 Rankin County, you, while acting under color of law,
20 willfully deprived EP of the right secured and protected by
21 the Constitution and laws of the United States to be free
22 from unreasonable seizures. Specifically, you discharged a
23 firearm in close proximity to EP for the purpose of scaring
24 EP. This offense involved the use of a dangerous weapon.

25 The essential elements involved in Count 4 are as

1 follows: Title 18, United States Code, Section 242 makes
2 it a crime for anyone acting under color of law to
3 willfully deprive any person of a right secured by the
4 Constitution or laws of the United States.

5 There are two elements of this crime:

6 First, that you deprived a person of a right secured
7 by the Constitution or laws of the United States by
8 committing one or more of the acts charged in the
9 information. The constitutional right at issue in Count 4
10 is EP's right to be free from unreasonable searches.

11 And, second, that you acted willfully; that is, that
12 you committed such act or acts with a bad purpose to
13 disobey or disregard the law, specifically intending to
14 deprive the person of that right, and that you acted under
15 color of law as charged in Count 3.

16 And then, fourth, that the offense involved the use
17 of a dangerous weapon.

18 Mr. Dedmon, do you understand the criminal offense
19 with which you're charged in Count 4 of the indictment?

20 DEFENDANT DEDMON: Yes, sir.

21 THE COURT: Count 5 also charges you, Mr. Dedmon, as
22 follows: that on or about January 24th, 2023, in Rankin
23 County, you did knowingly use, carry, brandish, and
24 discharge a firearm; that is, a Glock 17 Gen5,
25 nine-millimeter caliber pistol, serial number BGSX861,

1 during and in relation to a crime of violence for which you
2 may be prosecuted in a court of the United States; that is,
3 deprivation of rights under color of law under Title 18,
4 United States Code, Section 242 as charged in Count 4 of
5 this information.

6 The essential elements of this crime are now
7 explained. Title 18, United States Code, Section 924(c)(1)
8 makes it a crime for anyone to knowingly use, carry,
9 brandish, and discharge a firearm during or in relation to
10 a crime of violence.

11 There are two elements of this -- or components of
12 this crime:

13 First, that you committed the offense alleged in
14 Count 4 and that deprivation of rights under color of law
15 as charged in Count 4 is a crime of violence.

16 And, second, that you knowingly used and carried and
17 brandished and discharged a firearm during and in relation
18 to your commission of the crime charged in Count 4.

19 Using a firearm during and in relation to a crime of
20 violence means that you actively employed the firearm in
21 the commission of Count 4, such as a use that is intended
22 to bring about a change in the commission of Count 4, such
23 as the use that is intended to bring about a change in the
24 circumstances of the commission of that count.

25 "Active employment" means and includes brandishing,

1 displaying, referring to, bartering, striking with, firing,
2 or attempting to fire the firearm. Use is more than mere
3 possession of a firearm or having it available during the
4 crime of violence.

5 To prove that you carried a firearm during and in
6 relation to a crime of violence means that you carried the
7 firearm in the ordinary course of the word "carry," such as
8 by transporting a firearm on the person or in a vehicle,
9 and that your carrying the firearm cannot be merely
10 coincidental or unrelated to the crime of violence.

11 "Brandish" means with respect to a firearm to
12 display all or part of the firearm or otherwise make the
13 presence of the firearm known to another person in order to
14 intimidate that person, regardless of whether the firearm
15 is directly visible to that person.

16 Having made that explanation to you, do you
17 understand with what criminal offense you are charged in
18 Count 5 of the indictment?

19 DEFENDANT ELWARD: Yes, sir, I do.

20 THE COURT: Then Count 6 charges Mr. Dedmon,
21 Mr. Elward, and Mr. Opdyke as follows: It's alleged that
22 on or about January 24th, 2023, in Rankin County,
23 Mississippi, the three of you, while acting under color of
24 law and aiding and abetting one another, willfully deprived
25 EP of the right, secured and protected by the Constitution

1 and laws of the United States, not to be deprived of
2 liberty without due process of law, which includes the
3 right to bodily integrity. Specifically, it's charged that
4 Mr. Dedmon and Mr. Opdyke assaulted EP in the mouth and
5 face with a dildo without EP's consent or a legitimate law
6 enforcement purpose; and Elward failed to intervene to
7 protect EP from being assaulted with a dildo, despite the
8 opportunity to do so. This offense involved the use of a
9 dangerous weapon and resulted in bodily injury to EP.

10 The essential elements of this crime are now
11 explained. Title 18, United States Code, Section 242 makes
12 it a crime for anyone acting under color of law to
13 willfully deprive any person of a right secured by the
14 Constitution or laws of the United States.

15 There are four elements of this charge:

16 First, that you, the three of you, are charged with
17 depriving a person of a right secured by the Constitution
18 or laws of the United States by committing one or more of
19 the acts charged in the information. The constitutional
20 right at issue is Count 6 -- or, rather, in Count 6 is EP's
21 right not to be deprived of liberty without due process of
22 law, which includes the right to bodily integrity.

23 Second, that you acted willfully; that is, that the
24 defendant committed -- the defendants committed such act or
25 acts with a purpose to disobey or disregard the law,

1 specifically intending to deprive the person of that right.

2 Third, that the defendants acted under color of law.

3 And, fourth, that the bodily injury resulted from
4 the defendants' conduct, or that the offense involved the
5 use of a dangerous weapon.

6 Mr. Dedmon, Mr. Elward, and Mr. Opdyke, do you
7 understand the criminal offense with which you're charged
8 in Count 7 of the indictment?

9 DEFENDANT DEDMON: Yes, sir.

10 DEFENDANT ELWARD: Yes, sir.

11 DEFENDANT OPDYKE: Yes, Your Honor.

12 MS. CHALK: Your Honor, I apologize for the
13 interruption, but that was Count 6.

14 THE COURT: Six? I was taking them in order, and I
15 perhaps had one stuck to my fingers.

16 MS. CHALK: Your Honor, I believe it could clear it
17 up if you asked those three defendants if they understood
18 the elements as charged in Count 6 of the information.

19 THE COURT: All right. Do the three of you who are
20 charged in Count 6 understand the criminal offense with
21 which you are charged in Count 6?

22 DEFENDANT ELWARD: Yes, sir.

23 DEFENDANT OPDYKE: Yes, Your Honor.

24 DEFENDANT DEDMON: Yes, Your Honor.

25 THE COURT: All right. I'm going to take a moment

1 to get the papers in order.

2 The next count I'm going to discuss is Count 7.

3 Count 7 also charges Mr. Dedmon, Mr. Elward, and Mr. Opdyke
4 as follows: On or about January 24, 2023, in Rankin
5 County, the three of you, while acting under color of law
6 and aiding and abetting one another, willfully deprived MJ
7 of the right, secured and protected by the Constitution and
8 laws of the United States, not to be deprived of liberty
9 without due process of law, which includes the right to
10 bodily integrity. Specifically, Mr. Dedmon and Mr. Opdyke
11 assaulted MJ in the mouth and face with a dildo without
12 MJ's consent or a legitimate law enforcement purpose. And
13 Elward failed to intervene to protect MJ from being
14 assaulted with a dildo, despite the opportunity to do so.
15 This offense involved the use of a dangerous weapon and
16 resulted in bodily injury to MJ.

17 The essential elements of Count 7 are now explained.
18 Title 18, United States Code, Section 242 makes it a crime
19 for anyone acting under color of law to willfully deprive
20 any person of a right secured by the Constitution or laws
21 of the United States.

22 There are four essential elements of this crime:

23 First, that the defendants, that you, deprived a
24 person of a right secured by the Constitution or laws of
25 the United States by committing one or more of the acts

1 charged in the information. The constitutional right at
2 issue in Count 7 is MJ's right not to be deprived of
3 liberty without due process of law, which includes the
4 right to bodily integrity.

5 Second, that you acted willfully; that is, that you
6 committed such act or acts with a bad purpose to disobey or
7 disregard the law, specifically intending to deprive the
8 person of that right.

9 Third, that you acted under color of law.

10 Fourth, that bodily integrity resulted [sic] from
11 your conduct, and that the offense involved the use of a
12 dangerous weapon.

13 Carrying a firearm during and in relation to a crime
14 of violence means that you carried the firearm in the
15 ordinary meaning of the word "carry," such as by
16 transporting a firearm on the person or in a vehicle, and
17 carrying the firearm cannot be merely coincidental or
18 unrelated to the crime of violence. And "brandishing"
19 means with respect to a firearm displaying all or part of
20 the firearm or otherwise making the presence of a firearm
21 known to another person in order to intimidate the person,
22 regardless of whether the firearm is directly visible to
23 that person.

24 And the essential elements of Count 8 -- of Count 7,
25 rather, are now explained. Title 18, United States Code,

1 Section 242 makes it a crime for anyone acting under color
2 of law to willfully deprive any person of a right secured
3 by the Constitution or laws of the United States.

4 And there are four essential elements of this crime:

5 First --

6 MS. CHALK: Excuse me, Your Honor. I hate to
7 interrupt, but we -- we're on Count 7, and I believe that
8 you've read the elements for Count 7. And there may have
9 been a page out of order.

10 THE COURT: I've covered Count 7. Thank you, ma'am,
11 for calling that to my attention.

12 MS. CHALK: Yes, Your Honor.

13 THE COURT: The next count is Count 8, alleges
14 that --

15 MS. CHALK: Your Honor, if I may, before you go into
16 Count 8, would you ask those three defendants if they
17 understand those elements as charged in Count 7?

18 THE COURT: Do you understand the elements as
19 charged in Count 7?

20 DEFENDANT MIDDLETON: Yes, sir.

21 THE COURT: Mr. Elward?

22 DEFENDANT ELWARD: Yes, Your Honor.

23 THE COURT: Mr. Hartfield?

24 DEFENDANT HARTFIELD: Yes, Your Honor.

25 THE COURT: Count 8 charges -- and, again,

1 Mr. Elward, you're the sole defendant in this charge -- on
2 or about January 24th, 2023, in Rankin County, you,
3 Mr. Elward, while acting under color of law, willfully
4 deprived MJ of the right, secured and protected by the
5 Constitution and laws of the United States, to be free from
6 unreasonable seizures, which includes the right to be free
7 from the use of unreasonable force by a law enforcement
8 officer.

9 Specifically, it's charged that you forced your gun
10 into MJ's mouth and pulled the trigger. The gun
11 discharged, and the bullet lacerated MJ's tongue, broke
12 MJ's jaw, and exited out of MJ's neck. The offense
13 involved the use of a dangerous weapon.

14 And the essential elements of this charge are
15 explained as follows: Title 18, United States Code,
16 Section 242 makes it a crime for anyone acting under color
17 of law to willfully deprive any person of a right secured
18 by the Constitution or laws of the United States.

19 There are four essential elements of this crime:

20 First, that you deprived a person of a right secured
21 by the Constitution or laws of the United States by
22 committing one or more of the acts charged in the
23 information. The constitutional right at issue in Count 8
24 is MJ's right to be free from unreasonable seizures, which
25 includes the right to be free from the use of unreasonable

1 force by a law enforcement officer.

2 Second, that you acted willfully; that is, that you
3 committed such act or acts with a bad purpose to disobey or
4 disregard the law, intending to deprive the person of that
5 right.

6 Third, that you acted under color of law.

7 And, fourth, that the law involved the use of a
8 dangerous weapon.

9 DEFENDANT ELWARD: Yes, Your Honor.

10 THE COURT: Do you understand that crime that you're
11 charged with?

12 DEFENDANT ELWARD: Yes, Your Honor.

13 THE COURT: Count 9 alleges, Mr. Elward, that on or
14 about January 24th, 2023, in Rankin County, you knowingly
15 used, carried, and discharged a firearm; that is, a Glock
16 17 Gen5, nine-millimeter caliber pistol, serial number
17 BWMD253, during and in relation to a crime of violence for
18 which you may be prosecuted in a court of the United
19 States; that is, deprivation of rights under color of law
20 under Title 18, United States Code, Section 242 as charged
21 in Count 8 of the indictment.

22 MR. HOLLOMON: Your Honor, may I have just a moment?

23 THE COURT: Yes, sir.

24 MS. CHALK: Your Honor, if I may interrupt, in the
25 Court's recitation of the count as charged in Count 9,

1 knowingly used, carried, brandished, and discharged a
2 firearm, it identifies a Glock 17 Gen5, nine-millimeter.
3 Mr. Hollomon and Mr. Elward tell me that that is a Glock 45
4 pistol. At this time, we make a motion for a scrivener's
5 error to replace the description of the Glock 17 to a Glock
6 45.

7 THE COURT: That motion is granted.

8 MS. CHALK: Thank you, Your Honor.

9 MR. HOLLOMON: Thank you, Your Honor.

10 THE COURT: I've stated what Count 9 alleges.

11 The essential elements of Count 9 as charged are
12 stated as follows:

13 First, that you committed the offense alleged in
14 Count 8 and that deprivation of rights under color of law
15 as charged in Count 8 is a crime of violence.

16 And, second, that you knowingly used, carried,
17 brandished, and discharged a firearm during or in relation
18 to your commission of the crime charged in Count 8.

19 And the defendant using the firearm during and in
20 relation to a crime of violence means that the defendant
21 actively employed the firearm in the commission of Count 8
22 such as a use that is intended to or brings about a change
23 in the circumstances of the commission of that count.

24 Active employment may include brandishing,
25 displaying, referring to, bartering, striking with, firing,

1 or attempting to fire the firearm.

2 Use is more than mere possession of a firearm or
3 having it available during the crime of violence.

4 And carrying a firearm during and in relation to a
5 crime of violence means that you carried the firearm in the
6 ordinary meaning of the word "carry," such as by
7 transporting the firearm on your person or in a vehicle.
8 Your carrying of the firearm cannot be merely coincidental
9 or unrelated to the crime of violence.

10 The term "brandish" means with respect to a firearm
11 to display all or part of the firearm or otherwise make the
12 presence of the firearm known to another person in order to
13 intimidate the person, regardless of whether the firearm is
14 directly visible to that person.

15 After that explanation, I ask you whether you
16 understand with what criminal offense you're charged in
17 Count 9 of the information?

18 DEFENDANT ELWARD: Yes, Your Honor.

19 THE COURT: Count 10 charges all six of you. I'm
20 not going to state -- give your names again, but all six of
21 you are charged, and it's alleged that on or about
22 January 24th, 2023, in Rankin County, six of you, while
23 acting under color of law, willfully deprived MJ of the
24 right, secured and protected by the Constitution and laws
25 of the United States, not to be deprived of liberty without

1 due process of law, which includes an arrestee's right to
2 be free from a law enforcement officer's deliberate
3 indifference to his serious medical needs.

4 Specifically, after Elward shot MJ in the mouth and
5 MJ was bleeding from the mouth and neck, in clear need of
6 medical care, you attempted to cover up the misconduct
7 rather than provide MJ with medical care, thereby acting
8 with deliberate indifference to a substantial risk of harm
9 to MJ.

10 And the essential elements or components of this
11 crime, Count 10, are now explained. Title 18, United
12 States Code, Section 242 makes it a crime for anyone acting
13 under color of law to willfully deprive any person of a
14 right secured by the Constitution or laws of the United
15 States.

16 There are four essential elements of this crime:

17 First, that you deprived -- all of you deprived MJ
18 of a right secured by the Constitution or laws of the
19 United States, specifically MJ's right not to be deprived
20 of liberty without due process of law, which includes an
21 arrestee's right to be free from a law enforcement
22 officer's deliberate indifference to his serious medical
23 needs.

24 Second, that you acted willfully; that is, that all
25 of you committed such act or acts with a bad purpose to

1 disobey or disregard the law, specifically intending to
2 deprive MJ of that right.

3 Third, that you acted under color of law.

4 And, fourth, that bodily injury resulted from your
5 conduct.

6 "Bodily injury" means -- it's a number of -- but
7 shooting him is clearly a bodily injury. I'm not going to
8 go into all of that.

9 Do you understand the criminal offense that you're
10 charged with in Count 10 of the indictment, Mr. McAlpin?

11 DEFENDANT MCALPIN: Yes, Your Honor.

12 THE COURT: Mr. Middleton?

13 DEFENDANT MIDDLETON: Yes, Your Honor.

14 THE COURT: Mr. Dedmon?

15 DEFENDANT DEDMON: Yes, sir.

16 THE COURT: Mr. Elward?

17 DEFENDANT ELWARD: Yes, Your Honor.

18 THE COURT: Mr. Opdyke?

19 DEFENDANT OPDYKE: Yes, Your Honor.

20 THE COURT: Mr. Hartfield?

21 DEFENDANT HARTFIELD: Yes, Your Honor.

22 THE COURT: Then Count 11 is subtitled "Conspiracy
23 to Obstruct Justice." It alleges a conspiracy as follows:
24 From on or about January 24th -- if I didn't say all six of
25 you, all six of you are charged here. From on or about

1 January 24th, 2023, through on or about April 2023, in
2 Rankin County, each one of you, all of you, knowingly and
3 willfully conspired and agreed to knowingly corruptly
4 persuade, attempt to corruptly persuade, or engage in
5 misleading conduct toward another person, with the intent
6 to hinder, delay, or prevent the communication to a federal
7 law enforcement officer or judge of information relating to
8 the commission or possible commission of a federal offense,
9 in violation of Title 18, Section 1512(b)(3).

10 And the purpose of the conspiracy was to cover up
11 your official misconduct, including but not limited to,
12 acts set forth in paragraphs 21 through 56.

13 The manner and means by which it's alleged that you
14 sought to accomplish the objects and purposes -- purpose of
15 the conspiracy included advising a false cover story, as
16 set forth in paragraphs 57 through 60 of the information,
17 and engaging in a variety of obstructive acts to
18 corroborate that false cover story and cover up your
19 misconduct, as set forth in paragraphs 61 through 81 of
20 this information. And there are various overt acts in
21 furtherance of the conspiracy that are charged in
22 paragraphs 61 through 81.

23 I'll ask each one of you whether you understand with
24 what criminal offense you are charged in Count 11 of the
25 indictment.

1 DEFENDANT MCALPIN: Yes, Your Honor.

2 DEFENDANT MIDDLETON: Yes, Your Honor.

3 DEFENDANT DEDMON: Yes, Your Honor.

4 DEFENDANT ELWARD: Yes, Your Honor.

5 DEFENDANT OPDYKE: Yes, Your Honor.

6 DEFENDANT HARTFIELD: Yes, Your Honor.

7 THE COURT: Count 12 charges -- yes, ma'am?

8 MS. CHALK: Would you mind reading the elements for
9 Count 12, Your Honor, before -- for Count 11 before
10 proceeding to Count 12?

11 THE COURT: Well, I'm sorry I missed that. There
12 are four -- and thank you for calling that to my attention.

13 MS. CHALK: Thank you, Your Honor.

14 THE COURT: Title 18, United States Code, Section
15 1512(k) makes it a crime for two or more persons -- wait,
16 I'm on Count 11. That's right?

17 MS. CHALK: Yes, Your Honor.

18 THE COURT: I'm going to start over with Count 11.
19 Title 18 -- with reading the essential elements. Title 18,
20 United States Code, Section 1512(k) makes it a crime for
21 two or more persons to knowingly conspire to commit any
22 offense under this subsection, including a violation of
23 Section 1512(b)(3), which makes it a crime to knowingly
24 hinder, delay, or prevent the communication to a law
25 enforcement officer or a judge of the United States of

1 information relating to the commission or possible
2 commission of a federal offense.

3 There are four essential elements of this crime:

4 First, that you -- I'm addressing all of you --
5 knowingly and willfully conspired and agreed to knowingly
6 corruptly persuade, attempt to corruptly persuade, or
7 engage in misleading conduct toward another person.

8 Second, that you acted with the intent to hinder,
9 delay, or prevent the communication of information to a
10 federal law enforcement officer or judge.

11 Third, that the information at issue related to the
12 commission or possible commission of a federal offense.

13 And, fourth, that there was a reasonable likelihood
14 that the communication would reach a federal official.

15 An act is done corruptly if a defendant acted
16 knowingly and dishonestly with the specific intent to
17 subvert or undermine the due administration of justice.

18 The term "misleading conduct" means knowingly making
19 a false statement; intentionally omitting information from
20 a statement and thereby causing a portion of such statement
21 to be misleading or intentionally concealing a material
22 fact, and thereby creating a false impression by such
23 statement with intent to mislead; knowingly submitting or
24 inviting reliance on a writing or recording that is false,
25 forged, altered, or otherwise lacking in authenticity with

1 the intent to mislead; knowingly submitting or inviting
2 reliance on a sample, specimen, map, photograph, boundary
3 mark, or other object that is misleading in a material
4 respect; or knowingly using a trick, scheme, or device with
5 the intent to mislead. That's the explanations of Count 11
6 of the indictment.

7 Mr. McAlpin, do you understand what the charge is?

8 DEFENDANT MCALPIN: Yes, Your Honor.

9 THE COURT: Mr. Middleton?

10 DEFENDANT MIDDLETON: Yes, Your Honor.

11 THE COURT: Mr. Dedmon?

12 DEFENDANT DEDMON: Yes, Your Honor.

13 THE COURT: Mr. Elward?

14 DEFENDANT ELWARD: Yes, Your Honor.

15 THE COURT: Mr. Opdyke?

16 DEFENDANT OPDYKE: Yes, Your Honor.

17 THE COURT: Mr. Hartfield?

18 DEFENDANT HARTFIELD: Yes, Your Honor.

19 THE COURT: Then Count 12 charges each and all of
20 you as follows: From on or about January 24th, 2023, and
21 continuing to on or about February 3rd, 2023, in Rankin
22 County, all six of you, aiding and abetting one another,
23 knowingly corruptly persuaded, attempted to corruptly
24 persuade, and engaged in misleading conduct toward another
25 person with the intent to hinder, delay, and prevent the

1 communication to a federal law enforcement officer and
2 judge of information relating to the commission and
3 possible commission of a federal offense. Specifically,
4 Defendants McAlpin, Middleton, Dedmon Elward, Opdyke, and
5 Hartfield committed the obstructive acts set forth in
6 paragraph 61 of this information.

7 And the essential elements or components of this
8 charge are now explained. Title 18, United States Code,
9 Section 1512(b)(3) makes it a crime for anyone to knowingly
10 corruptly persuade, attempt to corruptly persuade, or
11 engage in misleading conduct toward another person with the
12 intent to hinder, delay, or prevent the communication to a
13 law enforcement officer or judge of the United States of
14 information relating to the commission or possible
15 commission of a federal offense.

16 There are four essential elements of this charge:

17 First, that you knowingly corruptly persuaded,
18 attempted to corruptly persuade, or engaged in misleading
19 conduct toward another person.

20 Second, that you acted with the intent to hinder,
21 delay, or prevent the communication of information to a
22 federal law enforcement officer or judge.

23 Third, that the information at issue related to the
24 commission or possible commission of a federal offense.

25 And, fourth, that there was a reasonable likelihood

1 that the communication would reach a federal official.

2 An act is done corruptly if one acted knowingly and
3 dishonestly with a specific intent to subvert or undermine
4 the due administration of justice.

5 The term "misleading conduct" means, A, knowingly
6 making a false statement; B, intentionally omitting
7 information from a statement and thereby causing a portion
8 of such statement to be misleading, or intentionally
9 concealing a material fact and thereby creating a false
10 impression by such statement; C, with intent to mislead,
11 knowingly submitting or inviting reliance on a writing or
12 recording that is false, forged, altered, or otherwise
13 lacking in authenticity; D, with intent to mislead,
14 knowingly submitting or inviting reliance on a sample,
15 specimen, map, photograph, boundary mark, or other object
16 that is misleading in a material respect; or, E, knowingly
17 using a trick, scheme, or device with intent to mislead.

18 Following my recitation of the essential elements of
19 the count charged in 12, do you know -- do you understand?

20 DEFENDANT MCALPIN: Yes, Your Honor.

21 THE COURT: Do you also, sir?

22 DEFENDANT MIDDLETON: Yes, Your Honor.

23 THE COURT: Mr. Dedmon?

24 DEFENDANT DEDMON: Yes, sir.

25 THE COURT: Mr. Elward?

1 DEFENDANT ELWARD: Yes, sir.

2 THE COURT: Mr. Opdyke?

3 DEFENDANT OPDYKE: Yes, Your Honor.

4 THE COURT: And, Mr. Hartfield?

5 DEFENDANT HARTFIELD: Yes, Your Honor.

6 THE COURT: Then the final count, 13, accuses or
7 charges three of you, Brett Morris McAlpin, Christian Lee
8 Dedmon, and Hunter Thomas Elward, that on or about
9 January 24th, 2023, to on or about January 25th, 2023, in
10 Rankin County, the three of you knowingly and willfully
11 conspired and agreed to injure, oppress, threaten, and
12 intimidate MJ in his free exercise and enjoyment of the
13 right, secured to him by the Constitution and laws of the
14 United States, to be free from unreasonable seizures, which
15 includes the right to be free from malicious prosecution.

16 Specifically, the three of you are charged with
17 conspiring to charge MJ with felony assault on a police
18 officer, felony possession of methamphetamine, and
19 misdemeanor disorderly conduct, without probable cause to
20 believe that MJ had committed those crimes. And Dedmon and
21 Elward knowingly included false and misleading information
22 in the charging documents, as set forth in paragraphs 75
23 through 79. As a consequence, MJ was initially detained
24 and deprived of liberty pending resolution of the charges,
25 which were eventually dismissed.

1 The essential elements of Count 13 are now
2 explained. Title 18, United States Code, Section 241 makes
3 it a crime for anyone to knowingly agree with another
4 person to injure, oppress, threaten, or intimidate another
5 person in the free exercise and enjoyment of a right
6 secured by -- to him by the Constitution or laws of the
7 United States.

8 There are four elements of this crime:

9 First, that you entered into a conspiracy to injure,
10 oppress, threaten, or intimidate one or more persons.

11 Second, that you specifically intended by the
12 conspiracy to hinder, prevent, or interfere with MJ's
13 enjoyment of a right secured by the Constitution or laws of
14 the United States, specifically MJ's constitutional right
15 to be free from unreasonable seizures, which includes the
16 right to be free from malicious prosecution.

17 Third, that you acted under color of law.

18 And, fourth, that at least one member of the
19 conspiracy committed an overt act in furtherance of the
20 conspiracy.

21 Now, to establish a Fourth Amendment violation under
22 a malicious prosecution theory, there are four elements:

23 First, that you made, influenced, or participated in
24 the decision to bring criminal charges against the victim.

25 Second, that there was no probable cause for

1 prosecution.

2 Third, that as a consequence, the victim suffered a
3 deprivation of liberty apart from the initial arrest.

4 And, fourth, that the criminal proceeding was
5 resolved in the victim's favor.

6 Mr. McAlpin, Mr. Dedmon, and Mr. Elward, do you
7 understand the charge in Count 13? Do you?

8 DEFENDANT MCALPIN: Yes, Your Honor.

9 DEFENDANT DEDMON: Yes, sir.

10 THE COURT: And do you also?

11 DEFENDANT ELWARD: Yes, Your Honor.

12 THE COURT: Normally at this point in a change of
13 plea proceeding, I would go over the maximum penalty for
14 each count. I've gone over the elements but not the
15 penalties. I would go over the maximum penalty for each
16 count and confirm a defendant's understanding of the
17 potential penalty. Rather than do that presently with all
18 of you collectively, I think the better course is to do so
19 with each defendant individually, which I will do so in a
20 few minutes.

21 Also, it's the Court's understanding that each
22 defendant has entered into a plea agreement with the
23 Government. I haven't gone into the particulars of it, but
24 it's my intention soon to confirm this and go over the
25 terms of each defendant's plea agreement with that

1 individual defendant.

2 Before doing so, however, I would ask the Government
3 is there anything common to all defendants in the plea
4 agreements that you could express to all of them now?

5 MS. CHALK: Yes, Your Honor. In all six defendants'
6 cases, they have a plea agreement that illustrates waivers,
7 and they are common to each defendant. In each of the plea
8 agreements, each defendant hereby expressly waives the
9 following rights, except that the defendant reserves the
10 right to raise ineffective assistance of counsel claims.

11 Each defendant waives the right to appeal the
12 conviction and sentence or the manner in which that
13 sentence was imposed under any ground whatsoever.

14 Each defendant waives the right to contest the
15 conviction and sentence or the manner in which the sentence
16 was imposed in any postconviction proceeding, including,
17 but not limited to, a motion under Title 28, United States
18 Code, Section 2255, and any type of proceeding claiming
19 double jeopardy or excessive penalty as a result of any
20 forfeiture ordered in this case.

21 Each defendant waives any right to seek attorney's
22 fees and costs.

23 Each defendant waives all rights, whether asserted
24 directly or by a representative, to request or receive
25 records about this case under the Freedom of Information

1 Act or the Privacy Act.

2 Each defendant further acknowledges and agrees that
3 any factual issues regarding the sentencing will be
4 resolved by the sentencing judge under a preponderance of
5 the evidence standard, and each defendant waives any right
6 to a jury determination of these sentencing issues.

7 Each defendant further agrees that in making its
8 sentencing decision, the District Court may consider any
9 relevant evidence, without regard to its admissibility
10 under the rules of evidence applicable at trial.

11 Your Honor, that's the common language in the plea
12 agreements for each defendant. And we would ask when you
13 are going through more particulars with each defendant,
14 we'll ask the Court to have each defendant confirm that
15 they understand the terms of those plea agreements and plea
16 supplements.

17 THE COURT: All right. I will ask you now -- I want
18 to confirm with each of you that you understand these
19 various terms and provisions that have just been expressed
20 by counsel for the Government in anticipation of my
21 reviewing them and after the agreements have been approved.

22 Do you understand what they are, Mr. McAlpin?

23 DEFENDANT MCALPIN: Yes, Your Honor.

24 THE COURT: Mr. Opdyke?

25 DEFENDANT MIDDLETON: Middleton. Middleton, Your

1 Honor.

2 THE COURT: I've got a different list there. Go
3 ahead, sir.

4 DEFENDANT MIDDLETON: Yes, Your Honor.

5 DEFENDANT DEDMON: Yes, Your Honor.

6 DEFENDANT ELWARD: Yes, Your Honor.

7 DEFENDANT OPDYKE: Yes, Your Honor.

8 DEFENDANT HARTFIELD: Yes, Your Honor.

9 THE COURT: All right. We're going to take a recess
10 now for 30 minutes, and I'll ask counsel whether it's --
11 we're going to take a recess, but I will be influenced by
12 how much time you would request. What amount of time would
13 you ask for? I could take less or more.

14 MS. CHALK: Your Honor, we defer to the Court.
15 We're ready to proceed when the Court is.

16 THE COURT: You're ready?

17 Are counsel for the defendants ready to proceed in
18 just a few minutes?

19 Okay. We're going to recess now for 15 minutes.

20 MS. THOMAS: All rise.

21 (A lunch recess was taken.)

22 THE COURT: We're resuming, and the Court is going
23 to consider each defendant separately with regard to
24 explaining the maximum penalties for each count, and then
25 whether or not there's been a plea agreement and terms of

1 that, and determining, if there is such an agreement,
2 whether it would be filed with the Court.

3 So the first defendant we will take is Brett Morris
4 McAlpin. Let Mr. McAlpin with his lawyer come up.

5 Mr. McAlpin, I'm going to explain to you the maximum
6 possible penalty on each count to which you've entered a
7 plea -- to which you are here with regard to entering a
8 plea of guilty. Count 1 and Count 13 each -- maximum
9 penalty could be ten years' imprisonment, a \$250,000 fine,
10 three years of supervised release, and a \$100 special
11 assessment. That's ten years on Count 1, and ten years on
12 Count 13.

13 Do you understand that?

14 DEFENDANT MCALPIN: Yes, Your Honor.

15 THE COURT: Then with regard to Counts 2, 3, and 10,
16 deprivation of rights under color of law, the maximum
17 penalty on Count 2 is ten years' imprisonment, a \$250,000
18 fine, three-year term of supervised release, and \$100
19 special assessment; that applies for Count 2. It also is
20 applicable to Count 3, ten years, \$250,000 fine, and three
21 years' supervised release. And Count 10, the same ten
22 years maximum, \$250,000 fine maximum, and three-year term
23 of supervised release maximum.

24 Then with regard to Count 11, conspiracy to obstruct
25 justice, the maximum term of imprisonment is 20 years'

1 imprisonment, then a fine of \$250,000, and three years of
2 supervised release with a \$100 special assessment.

3 Then the other count, which is Count 12, obstruction
4 of justice, the maximum penalty is 20 years' imprisonment,
5 a \$250,000 fine, and three years' supervised release along
6 with the \$100 special assessment.

7 Do you understand all of that, or do I need to
8 explain anything to you about it? I didn't ask you for
9 each count, but do you understand that?

10 DEFENDANT MCALPIN: Yes, Your Honor, I understand.

11 THE COURT: Has anyone threatened, coerced,
12 harassed, intimidated you in any way to persuade you to
13 come to court today to plead guilty?

14 DEFENDANT MCALPIN: No, sir, Your Honor.

15 THE COURT: Are you appearing voluntarily of your
16 own free will?

17 DEFENDANT MCALPIN: Yes, Your Honor.

18 THE COURT: Have you entered into a plea agreement
19 with a supplement with the Government? There are two
20 documents, and your lawyer may need to explain that to you
21 if you're not sure of my question.

22 DEFENDANT MCALPIN: Yes, Your Honor.

23 THE COURT: Did you read, understand, or with the
24 assistance of counsel understand these documents and then
25 also sign them?

1 DEFENDANT MCALPIN: Yes, sir, Your Honor.

2 THE COURT: As counsel for your client, Mr. Sellers,
3 did you go over the documents with him, explaining them to
4 him as necessary, and have you also signed them?

5 MR. SELLERS: Yes, sir, Your Honor.

6 THE COURT: Let me ask counsel for the Government
7 to -- well, describe or reference terms of the plea
8 agreement that are not common to the others. You heard the
9 explanation by your associate before lunch about the --
10 about that and that there would -- then there are matters
11 that are not common. Are you able to tell the Court what
12 they are?

13 MR. PERRAS: Yes, Your Honor. The material terms of
14 the plea agreement with Defendant McAlpin are as follows:

15 Mr. McAlpin has agreed to plead guilty to Counts 1,
16 2, 3, 10, 11, 12, and 13 as charged in the criminal
17 information. In exchange for the defendant's agreement to
18 plead guilty to those counts, the Government will recommend
19 that the defendant be sentenced as set forth in the plea
20 supplement that will be filed under seal. The plea
21 agreement and plea supplement have been executed by the
22 defendant, his attorney, and counsel for the Government.

23 The plea agreement includes waiver of trial and
24 appellate rights previously addressed by Ms. Chalk. And at
25 this time, Your Honor, the United States would recommend

1 that the Court have the defendant personally confirm that
2 he understands and agrees with the terms of the plea
3 agreement and supplement, including the waivers as outlined
4 by the Government.

5 THE COURT: Mr. McAlpin, is the explanation by
6 counsel consistent with your understanding of your plea
7 agreement?

8 DEFENDANT MCALPIN: Yes, Your Honor.

9 THE COURT: First, you indicated previously that you
10 understood these various agreements and waivers and
11 understood what they were. Do you now tell the Court that
12 you agree to specifically all of these terms and provisions
13 as well as what was just now referenced?

14 DEFENDANT MCALPIN: Yes, Your Honor.

15 THE COURT: Do you realize with regard to any
16 recommendations by the Court, the Government -- the Court
17 oftentimes follows such recommendations, but I'm not bound
18 to. Do you understand that?

19 DEFENDANT MCALPIN: Yes, Your Honor.

20 THE COURT: For example, if I end up giving you a
21 sentence that you don't like, do you realize you won't then
22 be able to withdraw your plea and demand a trial?

23 DEFENDANT MCALPIN: Yes, Your Honor.

24 THE COURT: Nor will you be able to appeal your
25 conviction or sentence, because you've given that right up

1 in these agreements you've made.

2 DEFENDANT MCALPIN: Yes, Your Honor.

3 THE COURT: Very well, then. Let the plea agreement
4 with the supplement be filed with the clerk and made a part
5 of the record and the supplement be filed under seal.

6 MR. SELLERS: May I approach, Your Honor?

7 THE COURT: Yes, sir. I'm going to ask counsel for
8 the Government now to state the factual basis for the
9 anticipated pleas.

10 MR. PERRAS: Yes, Your Honor. The Government would,
11 if put to its burden at trial, it would prove the following
12 facts, which the defendant has stipulated to in paragraph 8
13 of the plea supplement.

14 On January 24th, 2023, Brett McAlpin was employed as
15 chief investigator with the Rankin County Sheriff's Office.
16 That night, McAlpin received a complaint from his neighbor
17 about the residents of 135 Conerly Road, Braxton,
18 Mississippi. McAlpin called Christian Dedmon, a narcotics
19 investigator with the Rankin County Sheriff's Office, and
20 told Dedmon to get some guys together, go to the property,
21 and handle the problem.

22 McAlpin surveilled the property from down the street
23 and coordinated over the radio with Dedmon and the other
24 officers: Lieutenant Jeffrey Middleton, Deputy Hunter
25 Elward, Deputy Daniel Opdyke, and Richland Police

1 Department Officer Joshua Hartfield. The other officers
2 drove past McAlpin and parked in the property's driveway.
3 McAlpin followed them and parked in the driveway.

4 McAlpin exited his vehicle and walked to the carport
5 door, which other officers had kicked down. McAlpin
6 entered the house without consent, a warrant, or exigent
7 circumstances. McAlpin knew that it was unlawful to enter
8 a home without consent, a warrant, or exigent
9 circumstances.

10 McAlpin saw two black men inside: MJ and EP. The
11 men were not resisting, but officers were yelling at them
12 and Tasing them. McAlpin knew that if he witnessed another
13 officer using excessive force, he had a duty to intervene.
14 Despite having the time and opportunity to intervene,
15 McAlpin did not intervene.

16 Dedmon pulled out his gun, aimed it out the back
17 door, and fired. McAlpin knew that it was unlawful for an
18 officer to fire a weapon without a legitimate law
19 enforcement purpose, but McAlpin did not intervene or order
20 Dedmon to stop.

21 MJ and EP, still handcuffed, were brought to the
22 living room. Officers called them racial slurs, including
23 the word spelled n-i-g-g-e-r, and warned them to stay out
24 of the neighborhood.

25 Middleton and McAlpin went into the back bedroom and

1 discussed another case. During their conversation, McAlpin
2 heard Taser sounds and screams of pain coming from the
3 living room, where his subordinates, Dedmon, Elward, and
4 Opdyke, were detaining MJ and EP. Despite having the time
5 and opportunity to intervene, McAlpin did not intervene.

6 Later on, MJ and EP were brought to the side
7 bedroom. The officers began discussing the comparative
8 strength of their respective Tasers, and they decided to
9 test their Tasers out on MJ and EP to see which one was the
10 most powerful. Dedmon, Elward, Hartfield, and Middleton
11 each Tased MJ and EP while MJ and EP were handcuffed and
12 not resisting. McAlpin knew that it was unlawful to Tase a
13 handcuffed and compliant arrestee. Despite having the time
14 and opportunity to intervene, McAlpin did not intervene.

15 McAlpin and Middleton left the side bedroom and
16 walked to the front bedroom to steal personal property that
17 had caught their attention during an earlier search of the
18 house. McAlpin and Middleton each stole rubber bar mats,
19 brought them out to their vehicles, and then came back
20 inside to the back bedroom. McAlpin knew that it was
21 unlawful to steal personal property during a search or
22 arrest.

23 McAlpin heard two gunshots coming from the direction
24 of the side bedroom. Elward told McAlpin that he had
25 messed up and shot one of the men.

1 All six officers huddled up on the back screened-in
2 porch to discuss what to do. They devised and agreed on a
3 false cover story: that Elward brought MJ into the side
4 bedroom to conduct a controlled drug buy over the phone;
5 that Elward had removed MJ's handcuffs; that MJ had reached
6 for a gun; and that Elward shot MJ in self-defense.

7 Elward said that he would take care of the gun.
8 Dedmon said that he would take care of the drugs. McAlpin
9 understood those comments to mean that Elward would plant a
10 gun on MJ, and Dedmon would plant drugs on MJ. McAlpin
11 knew that it was unlawful to plant evidence on a suspect,
12 but he did not intervene.

13 In order to limit the number of witnesses to the
14 shooting, the officers agreed to tell investigators that at
15 the time of the shooting, McAlpin and Middleton had left
16 the property and were driving home; Dedmon and Hartfield
17 were at Dedmon's truck; and Opdyke was escorting EP to a
18 patrol car.

19 In order to corroborate his false cover story,
20 McAlpin told Dedmon that he was leaving and to call him in
21 a few minutes. McAlpin drove off in his Rankin County
22 Sheriff's Office-issued vehicle, which was enabled with GPS
23 tracking. Dedmon called him, and then McAlpin returned to
24 the scene.

25 McAlpin told the other officers that he would take

1 care of EP. McAlpin ordered Opdyke to take EP from the
2 side bedroom, put him in the back of Opdyke's patrol car,
3 and then unlock the back door so McAlpin could talk to EP.
4 McAlpin opened the back door of Opdyke's patrol car, told
5 EP that investigators with the Mississippi Bureau of
6 Investigation were on their way, and asked EP what he was
7 going to tell them. McAlpin suggested to EP that if EP
8 went along with the cover story, then McAlpin would make
9 sure that EP would be released from jail.

10 McAlpin wrote and submitted a false report, knowing
11 at the time that it was false, for the purpose of covering
12 up their misconduct. McAlpin was interviewed by
13 investigators with the Mississippi Bureau of Investigation.
14 Middleton -- sorry. McAlpin lied to MBI investigators and
15 withheld material information for the purpose of covering
16 up their misconduct.

17 McAlpin, Dedmon, and Elward agreed to file false
18 charges on MJ in order to corroborate their false cover
19 story. MJ was charged with felony aggravated assault on a
20 police officer, felony possession of methamphetamine, and
21 misdemeanor disorderly conduct.

22 McAlpin knew that as a law enforcement officer, it
23 was unlawful to write a false report, to give a false
24 statement to investigators, and to charge a person with
25 crimes that he did not commit.

1 All of this occurring in Rankin County, in the
2 Northern Division of the Southern District of Mississippi
3 within the jurisdiction of this Court.

4 THE COURT: Mr. McAlpin, is what counsel just
5 detailed to the Court as to your commission of these
6 various offenses which you're before the Court on true and
7 accurate?

8 DEFENDANT MCALPIN: Yes, Your Honor.

9 THE COURT: Do you dispute anything that he said
10 about your involvement in this -- these crimes?

11 DEFENDANT MCALPIN: No, Your Honor.

12 THE COURT: Are you, in fact, guilty of the offenses
13 charged in Count 1 and 13, conspiracy against rights;
14 Counts 2, 3, and 10, deprivation of rights under color of
15 law; Count 11, conspiracy to obstruct justice; and
16 Count 12, obstruction of justice?

17 DEFENDANT MCALPIN: Yes, Your Honor.

18 THE COURT: Since you acknowledge that you are, in
19 fact, guilty as charged in the information as to all
20 counts, since you know your right to a trial, what the
21 maximum possible punishment is, and since you're
22 voluntarily pleading guilty, I will accept your guilty plea
23 and enter a judgment of guilty in your case.

24 The probation office will initiate and conduct a
25 presentence investigation, in which event you will be

1 interviewed with your lawyer present with regard to that
2 investigation. After it's been completed, a written
3 presentence investigation report will be prepared and
4 submitted.

5 You and your attorney will have the opportunity to
6 inspect that report. If you should contend that there are
7 errors in the report, either as to proposed factual
8 findings or guideline sentence application, then your
9 attorney may take that up with the probation officer and
10 can file written objections. If there are any outstanding
11 issues or disputes on the day of sentencing, I will resolve
12 them after first giving you a chance to present anything
13 that you need to present in support of your position.

14 After we consider -- the Court considers all six of
15 the cases, I'll arrive at a date for the sentencing
16 disposition, but that concludes -- does the Government have
17 any comment to make or the defendant about this?

18 MR. PERRAS: Your Honor, the defendants are all in
19 custody. We would move that they remain in custody pending
20 sentencing pursuant to 18 USC 3143(a)(2).

21 THE COURT: Yes, sir. I understand.

22 And do you have any response to that?

23 MR. SELLERS: No, sir, Your Honor.

24 THE COURT: Okay. Y'all can be seated.

25 MR. SELLERS: Your Honor, may we approach briefly?

1 THE COURT: Yes, sir.

2 (An off-the-record bench conference was held.)

3 THE COURT: Let Mr. Jeffrey Middleton come to the
4 podium with his counsel.

5 Mr. Middleton, I'm now going to explain to you the
6 maximum possible penalties applicable in the various counts
7 that are under consideration by the Court.

8 Count 1, the conspiracy against rights charge, has a
9 maximum sentence of ten years' imprisonment and a \$250,000
10 fine with a term of three years' supervised release and a
11 \$100 special assessment.

12 Counts 2, 3, and 10 provide -- which are all --
13 subtitle is "Deprivation of Rights Under Color of Law,"
14 call for a maximum sentence of imprisonment of ten years,
15 \$250,000 fine and three years' supervised release and a
16 \$100 special assessment, and, again, three separate counts,
17 and those maximum penalties apply to each.

18 With regard to Count 11, conspiracy to obstruct
19 justice, the maximum penalty is 20 years' imprisonment, a
20 \$250,000 fine, and a term of three years' supervised
21 release and a \$100 special assessment.

22 With regard to Count 12, obstruction of justice, the
23 maximum possible penalty is 20 years' imprisonment, a
24 \$250,000 fine and three years' supervised release and a
25 \$100 special assessment.

1 Do you understand the maximum penalties on each of
2 these charges?

3 DEFENDANT MIDDLETON: Yes, Your Honor.

4 THE COURT: Do you need any further explanation?
5 Are you unclear about any part of it? They're separate
6 charges with separate maximums that could be accumulated.

7 DEFENDANT MIDDLETON: Yes, Your Honor, they're all
8 clear to me.

9 THE COURT: All right. Has anyone threatened,
10 harassed, coerced you, or intimidated you in any way to get
11 you to come to court today to plead guilty?

12 DEFENDANT MIDDLETON: No, Your Honor.

13 THE COURT: Are you appearing voluntarily and of
14 your own free will?

15 DEFENDANT MIDDLETON: Yes, Your Honor.

16 THE COURT: Have you entered into a plea agreement
17 with the Government that would consist of two documents: a
18 plea agreement and a plea supplement?

19 DEFENDANT MIDDLETON: Yes, Your Honor.

20 THE COURT: Did you read, understand, and sign both
21 of these agreements and with the assistance of your
22 counsel?

23 DEFENDANT MIDDLETON: Yes, Your Honor.

24 THE COURT: Did he explain to you as you might have
25 needed?

1 DEFENDANT MIDDLETON: Yes, Your Honor.

2 THE COURT: Mr. Tanner, have you been over the plea
3 agreement and supplement with your client, explained them
4 to him as was required or necessary, and have you also
5 signed them?

6 MR. TANNER: I have, Your Honor.

7 THE COURT: Let me ask counsel for the Government to
8 detail provisions that were in addition to or not common to
9 the announcement made previously on these waivers and so
10 forth.

11 MS. CHALK: Thank you, Your Honor.

12 In this case, Defendant Middleton has agreed to
13 plead guilty to Count 1, 2, 3, 10, 11, and 12 as charged in
14 the criminal information charged in this matter. In
15 exchange for the defendant's agreement, the Government will
16 recommend the defendant be sentenced as set forth in the
17 plea supplement that will be filed under seal. The plea
18 agreement and plea supplement have been executed by this
19 defendant, his attorney, and counsel for the Government.

20 The plea agreement also makes mention of waivers
21 affecting trial and appellate rights that were previously
22 addressed. And at this time, Your Honor, the United States
23 requests the Court have the defendant personally confirm
24 that he understands and agrees with the terms of the plea
25 agreement and supplement, including the waivers as outlined

1 by the Government.

2 THE COURT: All right. Mr. Middleton, you were
3 present when counsel set out some waivers and provisions,
4 and you told me -- along with the rest of the defendants,
5 you told me that you understood what they provided for.
6 I'm referencing that and also what counsel has just now
7 said to the Court, and is all of this consistent and in
8 accordance with your understanding of your plea agreement
9 and supplement?

10 DEFENDANT MIDDLETON: Yes, Your Honor.

11 THE COURT: You -- the Government makes
12 recommendations in the plea supplement. Do you realize
13 that while I pay attention to them and often follow them,
14 I'm not bound to it? I have to know more about the case in
15 order to make a definite decision about recommendations by
16 the Government.

17 DEFENDANT MIDDLETON: Yes, sir. Yes, Your Honor.

18 THE COURT: If you end up getting a different
19 sentence than what you expect, do you realize you won't
20 then be able to withdraw your plea and demand a trial,
21 because you've given that right up in the agreement that
22 you've made with the Court?

23 DEFENDANT MIDDLETON: Yes, Your Honor.

24 THE COURT: Nor will you be able to appeal your
25 conviction or sentence.

1 DEFENDANT MIDDLETON: Yes, Your Honor.

2 THE COURT: Very well, then. Let the plea agreement
3 and supplement be filed with the clerk and admitted into
4 the record.

5 MR. TANNER: May I approach, Your Honor?

6 THE COURT: Yes, sir.

7 I'll ask the Government to summarize the
8 Government's case or give the factual basis for the plea.

9 MS. CHALK: Thank you, Your Honor.

10 If the Government were to be put to its burden at
11 trial, we would show in this case, and the defendant and
12 the Government have stipulated to, the following facts:

13 On January 24, 2023, Jeffrey Middleton was employed
14 as a lieutenant with the Rankin County Sheriff's
15 Department -- Sheriff's Office. Middleton supervised the
16 11:00 a.m. to 11:00 p.m. shift, and among the officers he
17 supervised were Deputy Hunter Elward and Deputy Daniel
18 Opdyke. Middleton's shift called themselves "the Goon
19 Squad." Middleton's shift was willing to use excessive
20 force and not to report it. Middleton ordered and
21 distributed challenge coins with the unofficial Goon Squad
22 logo on the front, and on the back, it contained the
23 official Rankin County Sheriff's Office logo.

24 On January 24th, 2023, Christian Dedmon, a narcotics
25 investigator with the Rankin County Sheriff's Office, sent

1 a text message to Opdyke, Middleton, and Elward asking
2 them, "Are y'all available for a mission?" Dedmon messaged
3 the group that they were going to a property on Conerly
4 Road and warned them: "There's a chance of cameras. Let's
5 approach east and work easy." Middleton understood "work
6 easy" to mean knock on the door, rather than kick it down.
7 Elward texted back an eye roll emoji, and Opdyke texted a
8 GIF of a baby crying. Dedmon messaged the group, "If we
9 don't see cameras, go." Middleton understood that to mean
10 if they don't see surveillance cameras at the property,
11 then they should enter the property without a warrant.

12 Dedmon messaged the group, "No bad mugshots."
13 Middleton understood "No bad mugshots" to be a green light
14 to use excessive force on parts of the body not captured by
15 a mugshot.

16 Opdyke, Middleton, and Elward drove their Rankin
17 County Sheriff's Office-issued vehicles to the Cato
18 Volunteer Fire Department, parked their vehicles, and
19 waited for Dedmon. When Dedmon's truck drove past them,
20 Opdyke, Middleton, and Elward pulled out from the Cato
21 Volunteer Fire Department and followed Dedmon to the
22 property. When they arrived at the property, they all
23 parked in the driveway. Chief Investigator Brett McAlpin,
24 who had been surveilling the property from down the street,
25 pulled in behind them.

1 Middleton exited his vehicle and walked to the
2 carport door, which other officers had kicked down.
3 Middleton entered the house without consent, a warrant, or
4 exigent circumstances. Middleton knew that it was unlawful
5 to enter a home without consent, a warrant, or exigent
6 circumstances.

7 Middleton saw two Black men inside: MJ and EP. The
8 men were in handcuffs, and the officers were yelling at
9 them. Dedmon asked EP where they were keeping the drugs.
10 Dedmon pulled out his gun, aimed it out the back door, and
11 fired. Dedmon again demanded to know where the drugs were.
12 Middleton knew that it was unlawful for an officer to
13 attempt to coerce a confession by firing a gun, but
14 Middleton did not intervene.

15 Middleton and McAlpin went into the back bedroom and
16 discussed another case. During their conversation,
17 Middleton heard Taser sounds and screams of pain coming
18 from the living room, where his subordinates, Elward and
19 Opdyke, were detaining MJ and EP. Middleton knew that he
20 had a duty to intervene and stop officers from using
21 excessive force on an arrestee. Despite that training, and
22 despite having the time and opportunity to intervene,
23 Middleton did not intervene.

24 Middleton went outside to retrieve his flashlight.
25 And when Middleton came back inside, he observed MJ and EP

1 covered in chocolate syrup and other liquids. Shortly
2 thereafter, MJ and EP were ordered to strip naked and
3 shower off. Their handcuffs were removed.

4 After MJ and EP showered off and changed into clean
5 underwear and sweats, they were handcuffed again and
6 brought to the side bedroom adjacent to the carport.
7 Middleton grabbed a metal sword and assaulted EP with the
8 sword. The officers began discussing the comparative
9 strength of their respective Tasers, and they decided to
10 test their Tasers on MJ and EP to see which one was the
11 most powerful. Dedmon, Elward, Hartfield, and Middleton
12 each Tased MJ and EP while MJ and EP were handcuffed and
13 not resisting. Middleton knew that it was unlawful to Tase
14 a handcuffed and compliant arrestee, and that he had a duty
15 to intervene. Despite having the opportunity to intervene,
16 Middleton did not do so.

17 Middleton and McAlpin left the side bedroom and
18 walked to the front bedroom to steal personal property that
19 had caught their attention during an earlier search of the
20 house. McAlpin and Middleton each stole rubber bar mats,
21 brought them out to their vehicles, and then came back
22 inside the back bedroom. Middleton knew that it was
23 unlawful to steal personal property during a search or
24 arrest.

25 Middleton and McAlpin heard two gunshots coming from

1 the direction of the side bedroom. Middleton walked into
2 the hallway, and Elward told him that he had messed up.
3 Middleton walked into the side bedroom and observed MJ
4 handcuffed and bleeding from the mouth and neck. Middleton
5 understood that he and other officers had a duty to render
6 medical aid to MJ. Middleton did not provide medical aid,
7 and Middleton did not observe any other officer providing
8 medical aid.

9 All six officers huddled up on the back screened-in
10 porch to discuss what to do. They devised and agreed on a
11 false cover story: that Elward brought MJ into the side
12 bedroom to conduct a controlled drug buy over the phone;
13 that Elward had removed MJ's handcuffs; and that MJ had
14 reached for a gun; and that Elward had shot MJ in
15 self-defense.

16 Middleton offered to plant a "throw-down" gun on MJ.
17 Middleton kept in his patrol car a Titan Tiger .38 Special
18 snub-nosed revolver that was not registered to him in case
19 a gun needed to be planted on a victim. Elward responded
20 that he would use the BB gun they had found in the house.
21 Dedmon said that he would take care of the drugs.
22 Middleton understood those comments to mean that Elward
23 would plant the gun on MJ, and Dedmon would plant drugs on
24 MJ. Middleton knew that it was unlawful to plant evidence
25 on a suspect, but he did not intervene.

1 When Middleton returned to the side bedroom, MJ was
2 no longer handcuffed, and the BB gun that Hartfield had
3 previously seen in the front middle bedroom was planted
4 next to MJ.

5 In order to limit the number of witnesses to the
6 shooting, the officers agreed to tell investigators that at
7 the time of the shooting, McAlpin and Middleton left the
8 property and were driving home; Dedmon and Hartfield were
9 at Dedmon's truck; and Opdyke was escorting EP to a patrol
10 car.

11 In order to corroborate his false story, McAlpin
12 told Dedmon that he was leaving and to call him in a few
13 minutes. McAlpin drove off in his Rankin County Sheriff's
14 Office-issued vehicle, which was enabled with GPS tracking.
15 Dedmon called him, and then McAlpin returned to the scene.

16 Several officers began looking for the shell casings
17 fired from Dedmon's gun. Middleton and the other officers
18 looked but could not find the shell casing from Dedmon's
19 second shooting.

20 McAlpin and Middleton each threatened the other
21 officers and told them that if any of them told the truth
22 about what happened that night, McAlpin and Middleton would
23 find out and kill them.

24 Middleton wrote and submitted a false report,
25 knowing at the time that it was false, for the purpose of

1 covering up their misconduct.

2 Middleton was interviewed by investigators with the
3 Mississippi Bureau of Investigation. Middleton lied to the
4 Mississippi Bureau of Investigation investigators and
5 withheld material information for the purpose of covering
6 up their misconduct. Middleton knew that as a law
7 enforcement officer, it was unlawful to write a false
8 report and give a false statement to investigators.

9 All of this occurring within Rankin County, in the
10 Northern Division of the Southern District of Mississippi
11 and within the jurisdiction of this Court.

12 THE COURT: Counsel referred to the presentation as
13 a stipulation. Mr. Middleton, is what she said just now to
14 the Court true and correct?

15 DEFENDANT MIDDLETON: Yes, Your Honor.

16 THE COURT: Do you dispute or disagree with anything
17 she said about this account?

18 DEFENDANT MIDDLETON: No, Your Honor.

19 THE COURT: Are you, in fact, guilty of the crimes
20 charged in the various counts of the indictment that I have
21 explained to you?

22 Let me get the numbers of them again. Count 1,
23 conspiracy against rights; Counts 2, 3, and 10, deprivation
24 of rights; Count 11, conspiracy to obstruct justice; and
25 Count 12, obstruction of justice: Are you guilty of all

1 those?

2 DEFENDANT MIDDLETON: Yes, Your Honor.

3 THE COURT: Since you acknowledge that you are, in
4 fact, guilty as charged in the information as to all
5 counts, since you understand your right to a trial and what
6 the maximum possible punishment is, and since you're
7 voluntarily pleading guilty, I'm accepting your guilty plea
8 and will enter a judgment of guilty in your case.

9 There will be a presentence investigation conducted
10 by the probation office. The probation officer will be
11 talking to you, interviewing you about the case and with
12 your lawyer having the right and opportunity to be present.

13 Once the investigation is concluded, a written
14 report will be prepared and submitted. You and your lawyer
15 will have access to that report to inspect it. If you
16 should contend that there are errors in the report, either
17 as to proposed factual findings or guideline sentence
18 application, Mr. Tanner can file objections. And if any
19 are unresolved on the day of sentencing, I will make a
20 decision as to any dispute after first giving you a chance
21 to present anything that you think supports your position
22 in support of such issues.

23 I'm going to set a sentencing disposition in a few
24 minutes as soon as I've finished with the other defendants
25 to determine a time to impose sentencing. So that

1 concludes this hearing.

2 Does the Government or defendant have anything to
3 say further about this?

4 MS. CHALK: Your Honor, we would move that the
5 defendant remain detained pursuant to Title 18, United
6 States Code, Section 3143.

7 THE COURT: All right. That motion is granted.

8 The next case -- or the next defendant is -- let's
9 see. Christian Lee Dedmon, with your attorney, Mr. Cory,
10 with you.

11 Mr. Dedmon, before I go any further, I want to
12 explain to you the maximum possible punishment upon
13 conviction of these various counts with which you are
14 charged.

15 Counts 1 and 13, conspiracy against rights, carries
16 a maximum sentence of ten years for each, ten years on 1
17 and ten years on 13, and a fine on each of \$250,000
18 maximum, and a term of supervised release -- maximum term
19 of three years with a \$100 special assessment.

20 With reference to Counts 2, 3, 4, 6, 7, and 10,
21 subtitled "Deprivation of Rights Under Color of Law," the
22 maximum punishment on each of these is ten years'
23 imprisonment, \$250,000 fine, a term of three years'
24 supervised release, and a \$100 special assessment. And,
25 again, each -- that's the maximum for each of these. Do

1 you understand that?

2 DEFENDANT DEDMON: Yes, sir.

3 THE COURT: Has anyone coerced, threatened, or
4 attempted to threaten you or in any way prevail on you to
5 come to court today to plead guilty?

6 DEFENDANT DEDMON: No, sir.

7 THE COURT: Are you appearing voluntarily and of
8 your own free will?

9 DEFENDANT DEDMON: Yes, sir.

10 THE COURT: Have you entered into a plea agreement
11 with supplement with the Government?

12 DEFENDANT DEDMON: Yes, sir.

13 THE COURT: Two documents?

14 DEFENDANT DEDMON: Yes, sir.

15 THE COURT: Did you read and understand or at least
16 have explained to you by your lawyer such that you had a
17 complete understanding of these documents?

18 DEFENDANT DEDMON: Yes, sir.

19 THE COURT: And did you then sign them both?

20 DEFENDANT DEDMON: Yes, sir.

21 THE COURT: Mr. Cory, did you go over the plea
22 agreement and supplement with your client, explain them to
23 you as necessary, and then execute them yourselves?

24 MR. CORY: Yes, Your Honor.

25 THE COURT: I'll ask counsel for the Government to

1 express any basic terms of the plea agreement that have not
2 already been detailed.

3 MS. CHALK: Thank you, Your Honor.

4 Defendant Dedmon has agreed to plead guilty to
5 Counts 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, and 13 as charged
6 in the criminal information in the matter before the Court,
7 and in exchange for the defendant's agreement, the
8 Government will recommend that the defendant be sentenced
9 as set forth in the plea supplement that is filed under
10 seal. The plea agreement and plea supplement have been
11 executed by the defendant, his attorney, and counsel for
12 the Government. The plea agreement includes waivers of
13 trial and appellate rights previously described earlier
14 today.

15 At this time, Your Honor, the United States requests
16 the Court have the defendant personally confirm that he
17 understands and agrees with the terms of the plea agreement
18 and supplement, including the waivers as outlined by the
19 Government.

20 THE COURT: Counsel earlier set forth to the Court
21 with all of you present various provisions, primarily
22 waivers, that were -- that are in the proposed plea
23 agreement. I inquired of you and the others if you
24 understood what they are, and you confirm to me now that
25 you continue to understand them.

1 Are you -- having executed the agreement, do you
2 agree with all the provisions and the waivers that she's
3 set forth?

4 DEFENDANT DEDMON: Yes, sir.

5 THE COURT: She referenced a recommendation by the
6 Government. The Government makes recommendations, which
7 the Court often follows, but I'm not bound to do so. I
8 have to develop a firm opinion after knowing a little about
9 the case. But do you understand that when I give you your
10 sentence, if it's something you don't like, you won't then
11 be able to withdraw your guilty plea and expect to have a
12 trial?

13 DEFENDANT DEDMON: Yes, sir.

14 THE COURT: Nor will you be able to appeal your
15 conviction or sentence, because you've given those rights
16 up in the agreements that you've made with the Court.

17 DEFENDANT DEDMON: Yes, sir.

18 THE COURT: Very well, then. Let the plea agreement
19 with supplement be filed with the court and made a part of
20 the record in this case, the supplement to be under seal.

21 MR. CORY: May I approach, Your Honor?

22 THE COURT: Yes. Let counsel for the Government
23 detail the factual basis for the plea.

24 MS. CHALK: Thank you, Your Honor.

25 The Government, when put to its burden at trial in

1 this case, we would show, as well as the defendant and
2 Government having stipulated to the following in paragraph
3 8 of the plea supplement: That on January 24th, 2023,
4 Christian Dedmon was employed as a narcotics investigator
5 with the Rankin County Sheriff's Office. That night,
6 Dedmon was cooking at his neighbor's house with his
7 neighbor and Joshua Hartfield, an officer with the Richland
8 Police Department. Dedmon received a call from Brett
9 McAlpin, the chief investigator for the Rankin County
10 Sheriff's Department. McAlpin instructed Dedmon to get
11 some guys together, go to 135 Conerly Road, in Braxton,
12 Mississippi, and lock up anyone there. Dedmon invited
13 Hartfield to ride along with him in Dedmon's Rankin County
14 Sheriff's Office-issued truck.

15 Dedmon sent text message to three colleagues with
16 the sheriff's department: Lieutenant Jeffrey Middleton,
17 Deputy Hunter Elward, and Deputy Daniel Opdyke. That text
18 read, "Are y'all available for a mission?" Dedmon messaged
19 the group that they were going to the property on Conerly
20 Road and warned them, "There is a chance of cameras...
21 let's approach east and work easy." Dedmon meant that if
22 they encountered cameras at 135 Conerly Road, they should
23 knock on the door, rather than kick it down.

24 Elward texted back an eyeroll emoji, and Opdyke
25 texted back a GIF of a baby crying. Dedmon messaged the

1 group, "If we don't see cameras, go." Dedmon meant that if
2 they did not see surveillance cameras at the property, then
3 they should enter the property without a warrant. Dedmon
4 messaged the group, "No bad mugshots." Dedmon meant "No
5 bad mugshots" to be a green light to use excessive force on
6 parts of the body not captured by a mugshot.

7 As Dedmon and Hartfield were driving to the
8 property, they passed Middleton, Elward, and Opdyke, who
9 were parked at the Cato Volunteer Fire Department. Opdyke,
10 Middleton, and Elward pulled out from the fire department
11 and followed Dedmon and Hartfield to the property. When
12 they arrived at that property, they all parked in the
13 driveway. Chief Investigator Brett McAlpin, who had been
14 surveilling the property from down the street, pulled in
15 behind them.

16 Noticing a surveillance camera above the front door
17 of the property, Dedmon, Elward, and Opdyke walked around
18 to the carport door, which had no surveillance camera
19 covering it. Dedmon and Opdyke each kicked the carport
20 door, but it did not open. Elward kicked the carport door
21 and it swung open. Opdyke, Dedmon, and Elward entered the
22 home without consent, a warrant, or exigent circumstances.
23 Dedmon knew that it was unlawful to enter a home without
24 consent, a warrant, or exigent circumstances.

25 Dedmon saw two Black males inside: MJ and EP.

1 Officers issued them commands, and they complied. Dedmon
2 handcuffed MJ and Tased him a couple of times. Elward
3 handcuffed EP and Tased him a couple of times. There was
4 no probable cause to believe that MJ or EP had committed
5 any crimes, and there was no reason to Tase them.

6 Dedmon asked EP where they were keeping the drugs.
7 Dedmon pulled out his gun, aimed it at the back door, and
8 fired. Dedmon again demanded to know where the drugs were.
9 Dedmon knew that it was unlawful for an officer to attempt
10 to coerce a confession by firing a gun.

11 The defendants moved MJ and EP, who were still
12 handcuffed, to the living room, taunted them, accused them
13 of taking advantage of the white woman who owned the house,
14 and warned them to stay out of Rankin County and go back to
15 Jackson or to "their side" of the Pearl River, areas with
16 higher concentrations of Black residents. Dedmon
17 drive-stunned MJ with his Taser repeatedly, and Dedmon knew
18 that it was unlawful to Tase a handcuffed and compliant
19 arrestee.

20 Opdyke left the living room and returned with a
21 dildo mounted onto the end of a BB gun. Opdyke forced the
22 dildo in the mouth of EP, and attempted to force the dildo
23 in the mouth of MJ. Dedmon grabbed the dildo from Opdyke
24 and slapped EP and MJ in the face with it. Dedmon knew it
25 was unlawful to assault an arrestee with a dildo, and that

1 he had a duty to intervene to stop another officer from
2 doing so. Despite having the time and opportunity to
3 intervene, Dedmon did not intervene.

4 Dedmon forced EP and MJ onto their backs on the
5 floor of the living room. Elward held them down. Dedmon
6 poured milk, alcohol, and chocolate syrup on their faces
7 and into their mouths.

8 MJ and EP were ordered to strip naked and shower
9 off. Their handcuffs were removed. After MJ and EP
10 showered off and changed into clean underwear and sweats,
11 they were handcuffed again and brought to the side bedroom
12 adjacent to the carport. The officers then began
13 discussing comparative strength of their respective Tasers,
14 and they decided to test their Tasers on MJ and EP to see
15 which one was most powerful. Dedmon, Elward, Hartfield,
16 and Middleton each Tased MJ and EP while MJ and EP were
17 handcuffed and not resisting. Dedmon knew that he had a
18 duty to intervene if he observed officers using excessive
19 force on an arrestee. Despite having the time and
20 opportunity to intervene, Dedmon did not intervene.

21 Dedmon stepped from the side bedroom into the
22 adjoining carport, pulled out his gun, and fired into the
23 yard. Shortly thereafter, Dedmon heard a loud noise coming
24 from the side bedroom. Dedmon stepped back into the side
25 bedroom and observed Elward, Opdyke, MJ, and EP in the

1 room. MJ, who was still in handcuffs, had been shot and
2 was bleeding.

3 All six officers huddled up on the back screened-in
4 porch to discuss what to do. They devised and agreed on a
5 false cover story: that Elward brought MJ into the side
6 bedroom to conduct a controlled drug buy over the phone;
7 that Elward had removed MJ's handcuffs; and that MJ had
8 reached for a gun; and that Elward shot MJ in self-defense.

9 Elward said that he would take care of the gun.
10 Dedmon understood Elward's comment to mean that Elward
11 would plant a gun on MJ in order to corroborate the false
12 cover story. Dedmon knew that it was unlawful to plant a
13 gun on an arrestee, but did not intervene.

14 In order to cover up their entry into the property
15 without a warrant, the defendants agreed to tell
16 investigators that when defendants arrived at the house,
17 they observed a Black male in the driveway; that Dedmon
18 obtained the man's consent to search his pockets and found
19 two baggies of methamphetamine; and that man fled into the
20 house and Dedmon ran after him.

21 In order to corroborate that false cover story,
22 Dedmon retrieved some methamphetamine he had previously
23 obtained from a subject-turned-informant but had not
24 entered into evidence, divided it into two baggies, and
25 later submitted them to the crime lab as belonging to MJ.

1 Dedmon knew that it was unlawful to plant drugs on an
2 arrestee.

3 In order to limit the number of witnesses to the
4 shooting, the officers agreed to tell investigators that at
5 the time of the shooting, McAlpin and Middleton had left
6 the property and were driving home. Dedmon and Hartfield
7 were at Dedmon's truck, and Opdyke was escorting EP to a
8 patrol car.

9 McAlpin left the scene to corroborate his cover
10 story that he had not been present during the shooting.
11 McAlpin told Dedmon that he was leaving and instructed
12 Dedmon to call him in a few minutes. McAlpin drove away,
13 Dedmon called him, and McAlpin returned to the scene.

14 Dedmon picked up spent Taser cartridges and got rid
15 of them. Dedmon searched for all the shell casings from
16 the two times he fired his gun. Opdyke told Dedmon that
17 Opdyke had picked up the first shell casing. Dedmon looked
18 in the carport and the side bedroom for his second shell
19 casing but could not find it.

20 While Dedmon and other officers were attempting to
21 cover up their misconduct, MJ was bleeding in the side
22 bedroom. Dedmon understood that he and the other officers
23 had a duty to render medical aid to MJ. Dedmon did not
24 provide medical aid, and Dedmon did not observe any other
25 officer providing medical aid.

1 Dedmon wrote and submitted a false report, knowing
2 at the time it was false, for the purpose of covering up
3 their misconduct. Dedmon was interviewed by investigators
4 with the Mississippi Bureau of Investigation, and Dedmon
5 lied to those investigators and withheld material
6 information for the purpose of covering up their
7 misconduct.

8 McAlpin, Dedmon, and Elward agreed to file false
9 charges on MJ in order to corroborate the false cover
10 story. On January 25th, 2023, Dedmon signed a sworn
11 affidavit that MJ had committed felony possession of
12 methamphetamine, in violation of Mississippi Code Section
13 41-29-139(c). Upon the filing of Dedmon's affidavit, MJ
14 was charged with felony possession of methamphetamine. The
15 maximum punishment for that offense is eight years in
16 prison.

17 Dedmon also signed a sworn affidavit that MJ
18 committed misdemeanor disorderly conduct, in violation of
19 Mississippi Code Section 97-35-7, by "refusing to follow
20 verbal commands and to stop running after locating a felony
21 amount of methamphetamine on his person." Upon the filing
22 of Dedmon's affidavit, MJ was charged with misdemeanor
23 disorderly conduct. The maximum punishment for that
24 offense is one year in prison.

25 Dedmon knew that as a law enforcement officer, it

1 was unlawful to write a false report, to give a false
2 statement to investigators, to charge a person with crimes
3 they did not commit, and to include false and misleading
4 information in a sworn charging affidavit. All of this
5 conduct occurring in Rankin County, in the Northern
6 Division of the Southern District of Mississippi within the
7 jurisdiction of this Court.

8 THE COURT: Ms. Chalk referenced a stipulation from
9 which she read. The stipulation being -- what she said,
10 all of which was agreed to by you. Is what she represented
11 to the Court all true and correct?

12 DEFENDANT DEDMON: Yes, sir.

13 THE COURT: Is there anything that was -- from your
14 perspective that was untrue or that you dispute?

15 DEFENDANT DEDMON: No, sir.

16 THE COURT: Are you, in fact, guilty of the crimes
17 charged in Counts 1, 2, 3, 4 -- I want to refer to them a
18 little differently. Counts 1 and 13 subtitled "Conspiracy
19 Against Rights"; Counts 2, 3, 4, 6, 7, and 10 referenced as
20 "Deprivation of Rights Under Color of Law"; Count 5, use
21 and carry and brandish and discharge of a firearm during a
22 crime of violence; Count 11, conspiracy to obstruct
23 justice; and Count 12, obstruction of justice. Are you, in
24 fact, guilty of every one of those criminal offenses?

25 DEFENDANT DEDMON: Yes, sir.

1 THE COURT: Since you've acknowledged that you're,
2 in fact, guilty as charged in the information in all
3 respects, since you know your right to a trial and what the
4 maximum possible punishment is, and since you are
5 voluntarily pleading guilty, I'm accepting your guilty plea
6 to all counts and will enter a judgment of guilty in your
7 case.

8 A presentence investigation will be initiated and
9 conducted by the probation office. The probation officer
10 will be interviewing you with your counsel present in
11 connection with that investigation as to the facts of this
12 case and information about yourself, and once the
13 investigation has been completed, the probation officer
14 will prepare and submit a written presentence investigation
15 report. You and your attorney, Mr. Cory, will have the
16 opportunity to inspect that report. And if you should take
17 the position that there are errors in it, such as proposed
18 findings of fact and guideline sentence application, then
19 you can take that up with your -- or conclusions of law,
20 you can take that up -- your attorney can take that up with
21 the probation officer and file written objections.

22 If there are any outstanding objections or disputes
23 on the day of sentencing before I impose sentence, you will
24 have the chance to present anything that you think supports
25 your position, and I'll resolve it.

1 Is there anything further from the Government or
2 defendant? I've already said that I'm going to set the
3 sentencing disposition at the end of this hearing.

4 MS. CHALK: Your Honor, for the record, we would
5 move the defendant be detained pursuant to Title 18 --

6 THE COURT: Yes, ma'am.

7 MS. CHALK: -- United States Code, Section 3143.

8 THE COURT: I understand the magistrate judge this
9 morning entered an oral order of detention, and I'm
10 acknowledging that, and that is the status of the cases.
11 These defendants are detained. You can be seated.

12 The next defendant whose case will be considered is
13 Hunter Thomas Elward. Mr. Elward and his attorney come
14 back to the podium.

15 Mr. Elward, I previously explained the charges that
16 are filed against you, and now I'm going to explain the
17 maximum possible penalties applicable to these charges.

18 Counts 1 and 13, conspiracy against rights, in those
19 the maximum punishment is ten years' imprisonment and a
20 fine of \$250,000 with a term of supervised release of three
21 years, and then there's a \$100 special assessment.

22 Then with regard to Counts 2 -- and I said 1 and 13.
23 That's applicable for each count, the ten years'
24 imprisonment for each.

25 Then with regard to Counts 2, 3, 6, 7, 8, and 10,

1 deprivation of rights under color of law, the maximum term
2 of imprisonment is ten years' imprisonment, and that's for
3 each one of those counts, and a \$250,000 fine with a term
4 of supervised release of three years maximum and a \$100
5 special assessment.

6 And with regard to Count 9, using and carrying and
7 brandishing and discharging a firearm during a crime of
8 violence, the maximum possible penalty is -- the minimum
9 imprisonment is ten years, not more than life, to run
10 consecutive, as it's stated in this information I have, as
11 well as a \$250,000 fine.

12 And on Count 11, conspiracy to obstruct justice, the
13 maximum punishment is 20 years' imprisonment and a fine of
14 \$250,000 along with a term of supervised release of three
15 years and a \$100 special assessment.

16 Then on Count 12, obstruction of justice, the
17 maximum term of imprisonment is 20 years' imprisonment and
18 a \$250,000 fine and a term of three years' supervised
19 release, and then there's the \$100 special assessment.

20 After that explanation, I'll ask you whether you
21 understand the maximum term of imprisonment for each one of
22 these counts?

23 DEFENDANT ELWARD: Yes, sir, Your Honor.

24 THE COURT: I moved through them pretty fast. If
25 you end up not clear about anything, let me know, but

1 you're telling me you understand all of that?

2 DEFENDANT ELWARD: Yes, Your Honor.

3 THE COURT: Has anybody threatened, coerced, or
4 harassed you in any way to prevail on you to come to court
5 today to plead guilty?

6 DEFENDANT ELWARD: No, Your Honor.

7 THE COURT: Are you appearing voluntarily of your
8 own free will?

9 DEFENDANT ELWARD: Yes, Your Honor.

10 THE COURT: Have you entered into a plea agreement
11 with the Government that would consist of two documents: a
12 plea agreement and plea supplement?

13 DEFENDANT ELWARD: Yes, Your Honor.

14 THE COURT: Did you read, understand, and sign both
15 of them?

16 DEFENDANT ELWARD: Yes, Your Honor.

17 THE COURT: Did Mr. Hollomon confer with you about
18 it and explain them to you as was necessary for you to have
19 a complete understanding?

20 DEFENDANT ELWARD: Yes, Your Honor.

21 THE COURT: Mr. Hollomon, did you go over the plea
22 agreement and supplement with your client, explaining them
23 to him as necessary, and then also execute them?

24 MR. HOLLOMON: I did, Your Honor.

25 THE COURT: Let counsel for the Government state the

1 fundamental terms of the plea agreement, those that were
2 not in common with those previously referenced.

3 MS. CHALK: Yes, Your Honor. Defendant Elward has
4 agreed to plead guilty to Counts 1, 2, 3, 6, 7, 8, 9, 10,
5 11, 12, and 13 as charged in the criminal information that
6 is before the Court. In exchange for the defendant's
7 agreement, the Government will recommend that this
8 defendant be sentenced as set forth in the plea supplement
9 that is filed under seal. The plea agreement and plea
10 supplement have been executed by the defendant, his
11 attorney, and counsel for the Government.

12 The plea agreement also makes reference to waivers
13 of trial and appellate rights that were previously
14 addressed earlier today in this hearing, and at this time,
15 Your Honor, the United States requests the Court have the
16 defendant personally confirm that he understands and agrees
17 with the terms of the plea agreement, plea supplement,
18 including the waivers as outlined by the Government.

19 THE COURT: All right. Ms. Chalk has previously
20 described a number of waivers and provisions, and do you
21 confirm that you understood them when you told me earlier
22 that you did understand them this morning?

23 DEFENDANT ELWARD: Yes, sir.

24 THE COURT: And she has additionally explained other
25 terms of the plea agreement. Is her explanation of all of

1 this consistent with your understanding of your plea
2 agreement?

3 DEFENDANT ELWARD: Yes, Your Honor.

4 THE COURT: And do you specifically tell the Court
5 that you agree to and -- all of these agreements and
6 waivers that are set out?

7 DEFENDANT ELWARD: I do.

8 THE COURT: There is a recommendation that is in the
9 plea supplement by the Government. The Court pays
10 attention to recommendations and often follows them, but
11 I'm not bound to. Do you understand that after I give you
12 your sentence, that you won't be able to withdraw your plea
13 and expect to have a trial?

14 DEFENDANT ELWARD: Yes, Your Honor.

15 THE COURT: Nor will you be able to appeal your
16 conviction or sentence, because you've given that -- those
17 rights up along with the others in the plea agreement that
18 you made with the Government.

19 DEFENDANT ELWARD: Yes, Your Honor.

20 THE COURT: Very well, then. Let the plea agreement
21 and supplement be filed with the clerk --

22 MR. HOLLOMON: May I approach, Your Honor?

23 THE COURT: Mr. Hollomon, did I verify with you that
24 you had gone over the plea agreement with your client?

25 MR. HOLLOMON: Judge, I don't remember that, but

1 I'll state that --

2 THE COURT: Sir?

3 MR. HOLLOMON: Judge, I don't recall that, but I'll
4 state it on the record here.

5 THE COURT: Okay. I take the position I always do,
6 but I want to confirm now -- it just sort of occurred to
7 me -- you talked to your client, went over both agreements
8 with him, and explaining to him and also executing them; is
9 that right?

10 MR. HOLLOMON: Yes, Your Honor.

11 THE COURT: Okay. Let the plea agreement and the
12 plea supplement be filed with the clerk and made a part of
13 the record in this case.

14 Ms. Chalk, will you summarize the Government's case
15 or give the factual basis for the anticipated plea.

16 MS. CHALK: Yes, Your Honor. In this case defendant
17 Elward has agreed to plead guilty to Counts 1, 2, 3, 6, 7,
18 8, 9, 10, 11, 12, and 13.

19 The defendant has also agreed to the following facts
20 that we would prove if we were put to our burden at trial
21 in the form of a stipulation that's contained in the plea
22 supplement.

23 On January 24th, 2023, Hunter Elward was employed as
24 a patrol deputy with the Rankin County Sheriff's Office.
25 Elward worked the 11:00 a.m. to 11:00 p.m. shift along with

1 Lieutenant Jeffrey Middleton and Deputy Daniel Opdyke.
2 Their shift called themselves the Goon Squad because of
3 their willingness to use excessive force and not to report
4 it. Middleton provided Elward a challenge coin with the
5 unofficial Goon Squad logo on the front and the official
6 Rankin County Sheriff's Office logo on the back.

7 On January 24th, 2023, Christian Dedmon, a narcotics
8 investigator with the Rankin County Sheriff's Office, sent
9 a text message to Opdyke, Middleton, and Elward asking
10 them: Are you all available for a mission? Dedmon
11 messaged the group that they were going to the property on
12 Conerly Road and warned them: There's a chance of cameras;
13 let's approach east and work easy. Elward understood "work
14 easy" to mean knock on the door rather than kick it down.
15 Elward texted back an eye role emoji, and Opdyke texted a
16 GIF of a baby crying.

17 Dedmon messaged the group: If we don't see cameras,
18 go. Elward understand that to mean if they do not see
19 surveillance cameras at the property, then they should
20 enter the property without a warrant.

21 Dedmon messaged the group: No bad mugshots. Elward
22 understood "no bad mugshots" to be a green light to use
23 excessive force on parts of the body not captured by a
24 mugshot.

25 Opdyke, Middleton, and Elward each drove to the Cato

1 Volunteer Fire Department, parked their vehicles, and
2 waited for Dedmon. When Dedmon's truck drove past them,
3 Opdyke, Middleton, and Elward pulled out from the Cato
4 Volunteer Fire Department and followed Dedmon to the
5 property.

6 When they arrived at the property, they all parked
7 in the driveway. Chief investigator Brett McAlpin, who had
8 been surveilling the property from down the street, pulled
9 in behind them.

10 Noticing a surveillance camera above the front door
11 of the property, Dedmon, Elward, and Opdyke walked around
12 to the carport door, which had no surveillance camera
13 covering it. Dedmon and Opdyke each kicked in the carport
14 door, but it did not open. Elward kicked in the carport
15 door, and it swung open. Opdyke, Dedmon, and Elward
16 entered the home without consent, a warrant, or exigent
17 circumstances, and Elward knew it was unlawful to enter a
18 home without consent, a warrant, or exigent circumstances.

19 Elward saw two Black men inside: MJ and EP.
20 Officers issued them commands, and they complied. Dedmon
21 handcuffed MJ and Tased him multiple times. Elward
22 handcuffed EP and Tased him multiple times. Opdyke kicked
23 EP in the ribs. There was no probable cause to believe
24 that MJ or EP had committed any of the crimes, and there
25 was no reason to kick or Tase them.

1 Dedmon asked EP where are they keeping the drugs?
2 Dedmon pulled out his gun, aimed it at the back door, and
3 fired. Dedmon again demanded to know where the drugs were.
4 Elward knew that it was unlawful for an officer to attempt
5 to coerce a confession by firing a gun, but Elward did not
6 intervene.

7 The defendants moved MJ and EP, who were still
8 handcuffed, to the living room, taunted them, accused them
9 of taking advantage of a white woman who owned the house,
10 and warned them to stay out of Rankin County and go back to
11 Jackson or to their side of the Pearl River, areas with
12 higher concentration of Black residents.

13 Opdyke left the living room and returned with a
14 dildo mounted on the end of a BB gun. Dedmon grabbed the
15 dildo from Opdyke and slapped EP and MJ in the face with
16 it. Dedmon forced MJ and EP onto their knees with their
17 backs to Dedmon, and Dedmon threatened to anally rape MJ
18 and EP with a dildo. Dedmon grabbed the back of MJ's pants
19 and moved the dildo towards MJ's backside, but Dedmon
20 stopped when he noticed that MJ had defecated on himself.
21 Elward knew that it was unlawful to sexually assault an
22 arrestee and that he had a duty to intervene and stop it.
23 Despite having the time and opportunity to intervene,
24 Elward did not intervene.

25 Dedmon forced MJ and EP onto their backs on the

1 floor of the living room. Elward held them down, and
2 Dedmon poured milk, alcohol, and chocolate syrup on their
3 faces and into their mouths. Elward grabbed a carton of
4 eggs from the kitchen and threw the eggs at MJ and EP. MJ
5 and EP were ordered to strip naked and shower off. Their
6 handcuffs were removed.

7 After MJ and EP showered off and changed into clean
8 underwear and sweats, they were handcuffed again and
9 brought to the side bedroom adjacent to the carport. The
10 officers began discussing the comparative strengths of
11 their respective Tasers, and they decided to test their
12 Tasers on MJ and EP to see which one was the most powerful.
13 Dedmon, Elward, Hartfield, and Middleton each Tased MJ and
14 EP while MJ and EP were handcuffed and not resisting.
15 Elward knew that it was unlawful to Tase a handcuffed and
16 compliant arrestee. Elward also knew that he had a duty to
17 intervene if he observed officers using excessive force on
18 an arrestee. Despite having the time and opportunity to
19 intervene, Elward did not intervene.

20 Elward surreptitiously removed a bullet from the
21 chamber of his gun. Elward forced his gun into MJ's mouth
22 and pulled the trigger. The unloaded gun clipped but did
23 not discharge. Elward racked the slide, forced the gun
24 back into MJ's mouth, and pulled the trigger again. This
25 time the gun discharged, and MJ collapsed on the floor.

1 All six officers huddled up on the back screened-in
2 porch to discuss what to do. They devised and agreed on a
3 false cover story: that Elward brought MJ to the side
4 bedroom to conduct a controlled drug buy over the phone,
5 that Elward had removed MJ's handcuffs, and that MJ had
6 reached for a gun and that Elward shot MJ in self-defense.

7 Elward said that he would take care of the gun.
8 Elward went back inside, grabbed the BB gun, and brought it
9 to the side bedroom, where MJ was still bleeding from the
10 mouth and neck and was not receiving any medical attention.
11 Elward removed MJ's handcuffs and planted the BB gun next
12 to MJ. Dedmon said that he would take care of the drugs.
13 Elward understood Dedmon's comment to mean that Dedmon
14 would plant drugs on MJ. Elward knew that it was unlawful
15 to plant evidence on a suspect, but he did not intervene.

16 In order to limit the number of witnesses to the
17 shooting, the officers agreed to tell investigators that at
18 the time of the shooting McAlpin and Middleton had left the
19 property and were driving home, Dedmon and Hartfield were
20 at Dedmon's truck, and Opdyke was escorting EP to the
21 patrol car.

22 While Elward and the other officers were attempting
23 to cover up their misconduct, MJ was bleeding in the side
24 bedroom. Elward understood that he and the other officers
25 had a duty to render medical aid to MJ. Elward did not

1 provide medical aid, and Elward did not observe any other
2 officer providing medical aid.

3 Elward wrote a report and submitted -- wrote and
4 submitted a false report, knowing at the time that it was
5 false, for the purpose of covering up their misconduct.

6 Elward was interviewed by the investigators with the
7 Mississippi Bureau of Investigation. Elward lied to the
8 Mississippi Bureau of Investigation investigators and
9 withheld material information for the purpose of covering
10 up their misconduct.

11 McAlpin, Dedmon, and Elward agreed to file false
12 charges on MJ in order to corroborate their false cover
13 story.

14 On January 25th, 2023, Elward signed a sworn
15 affidavit that MJ committed felony aggravated assault on a
16 police officer, in violation of Mississippi Code Section
17 97-3-7(2) under circumstances manifesting extreme
18 indifference to the value of human life by obtaining a
19 firearm and then aiming and pointing it in the direction of
20 Deputy Elward.

21 Upon the filing of Elward's affidavit, MJ was
22 charged with felony aggravated assault on a police officer.
23 The maximum punishment of that offense is 30 years in
24 prison. Elward knew that as a law enforcement officer it
25 was unlawful to write a false report, to give a false

1 statement to investigators, to charge a person with crimes
2 he did not commit, and to include false and misleading
3 information in a sworn charging affidavit.

4 Your Honor, all of this conduct occurring in Rankin
5 County, in the Northern Division of the Southern District
6 of Mississippi within the jurisdiction of this Court.

7 THE COURT: Mr. Elward, Ms. Chalk referenced a
8 stipulation to which you'd agreed. Is everything that she
9 read in that stipulation as the factual basis for the plea
10 true and accurate?

11 DEFENDANT ELWARD: Yes, Your Honor.

12 THE COURT: Is there anything that you take issue
13 with, anything that you dispute?

14 DEFENDANT ELWARD: No, Your Honor.

15 THE COURT: Since you admit that you are guilty as
16 charged, the Court finds that you are guilty of every one
17 of these counts that are alleged in the information that
18 have been referenced and will enter a judgment of guilty in
19 this case.

20 A presentence investigation will be initiated and
21 conducted by the probation officer. The probation office
22 will interview you and with your counsel present about
23 this, case your commission of these offenses, and
24 background information about you.

25 Once the investigation has been completed, a

1 presentence investigation report will be prepared and
2 submitted that you and Mr. Hollomon will have the
3 opportunity to inspect. If you contend that there are
4 errors in the presentence report, both as to matters of
5 fact or as to guideline sentence application, then you
6 can -- or any errors of law, then Mr. Hollomon can take
7 that up with the probation officer and file written
8 objections. If there are any unresolved objections that
9 continue on the day of sentencing, I will resolve them
10 after first giving you a chance to present anything that
11 you think supports your position.

12 Is there anything further from the Government or the
13 defendant?

14 MS. CHALK: Your Honor, I may have missed it, but
15 would you mind just confirming for the record that the
16 defendant is in fact pleading guilty to all of the counts
17 charged in the information?

18 THE COURT: I went over each one of them with him,
19 the maximum penalty. And I am now having you confirm, if
20 it wasn't clear, that you're pleading guilty to every one
21 of the counts that charge you in the information?

22 DEFENDANT ELWARD: Yes, Your Honor.

23 THE COURT: All right. Okay.

24 MR. HOLLOMON: Judge, there's nothing else from the
25 defendant.

1 THE COURT: Do you have anything further?

2 MS. CHALK: We just move under 18 U.S.C. 3143 that
3 the defendant remain in custody, Your Honor.

4 THE COURT: The motion is granted.

5 MR. HOLLOMON: Thank you, Your Honor.

6 THE COURT: Mr. Opdyke, I now am going to -- after
7 explaining the various charges against you, I'm now
8 explaining to you the maximum possible penalty upon -- for
9 each one of these counts in which you're charged and which
10 I understand you plan to plead guilty.

11 Count 1 carries a mandatory -- not a mandatory -- a
12 maximum sentence of ten years' imprisonment and a \$250,000
13 fine with a term of three years' supervised release and a
14 \$100 special assessment. Do you understand that?

15 DEFENDANT OPDYKE: Yes, Your Honor.

16 THE COURT: Counts 2, 3, 6, 7, and 10 each charge a
17 deprivation of rights under color of law. There are five
18 of these counts, and each one has a maximum penalty -- a
19 maximum penalty of ten years' imprisonment -- now, that's
20 ten for each -- a \$250,000 fine, three years' supervised
21 release, and \$100 special assessment. Do you understand
22 that?

23 DEFENDANT OPDYKE: Yes, Your Honor.

24 THE COURT: Count 11, conspiracy to obstruct
25 justice, provides for a maximum sentence of 20 years'

1 imprisonment, a fine of \$250,000, and a three-year term of
2 supervised release and a \$100 special assessment.

3 And then Count 12, obstruction of justice, has a
4 maximum sentence of 20 years' imprisonment, \$250,000 fine,
5 a three-year term of supervised release, and a \$100 special
6 assessment.

7 I've given the maximum for each one of these counts.
8 Do you understand that, or do you need any further
9 explanation from me about it?

10 DEFENDANT OPDYKE: No. I understand, Your Honor.

11 THE COURT: Has anyone threatened, coerced,
12 harassed, or intimidated you in any way to prevail on you
13 to come to court today to plead guilty?

14 DEFENDANT OPDYKE: No, sir, Your Honor.

15 THE COURT: Are you appearing voluntarily and of
16 your own free will?

17 DEFENDANT OPDYKE: Yes, sir.

18 THE COURT: Have you entered into a plea agreement
19 that would consist of two instruments, a plea agreement and
20 a supplement?

21 DEFENDANT OPDYKE: Yes, Your Honor.

22 THE COURT: Did you read, understand, and confer
23 with your lawyer before you signed it, and then sign both
24 of them?

25 DEFENDANT OPDYKE: Yes, Your Honor.

1 THE COURT: As counsel for your client, sir, have
2 you been over the plea agreement and supplement, explained
3 them to him as necessary, and then also executed them?

4 MR. REYNOLDS: Your Honor, between me and my
5 partner, Jason Kirschberg, who's here with me this
6 afternoon, yes. We've gone over it line by line.

7 THE COURT: You and Mr. Kirschberg together have
8 done that?

9 MR. REYNOLDS: Well, I've done it some and
10 Mr. Kirschberg has done it some, but he's been fully
11 apprised.

12 THE COURT: Would you just confirm, sir, that you
13 have participated in the -- did I hear he's here with you
14 this afternoon? Just confirm that you have helped --

15 MR. KIRSCHBERG: Yes, sir, I have.

16 THE COURT: All right. Thank you. Have one or both
17 of you signed the plea agreement?

18 MR. REYNOLDS: Yes, Your Honor. We both have.

19 THE COURT: The plea agreement and supplement.

20 All right. Let counsel for the Government set forth
21 the factual basis for the plea.

22 MS. CHALK: Your Honor, at this time the Defendant
23 Opdyke has agreed to plead guilty to Count 1, 2, 3, 6, 7,
24 10, 11, and 12 as charged in the criminal information
25 before the Court. In exchange for the defendant's

1 agreement, the Government will recommend the defendant be
2 sentenced as set forth in the plea supplement that is filed
3 under seal. The plea agreement and plea supplement have
4 been executed by the defendant, his attorney, and counsel
5 for the Government. The plea agreement also includes
6 waivers of trial and appellate rights that were previously
7 discussed earlier in this hearing.

8 And at this time, Your Honor, the United States
9 requests the Court have the defendant personally confirm
10 that he understands and agrees with the terms of the plea
11 agreement and plea supplement, including the waivers as
12 outlined by the Government.

13 THE COURT: Mr. Opdyke, earlier today Ms. Chalk
14 represented various -- there were various waivers and
15 provisions of the plea agreement, which had not been
16 entered into or accepted by the Court at that time, but you
17 said then that you understood them all. Do you confirm
18 that?

19 DEFENDANT OPDYKE: Yes, Your Honor.

20 THE COURT: And then you've heard what she's
21 additionally stated to the Court, so I ask you now if her
22 representation as to the terms of -- all the terms of the
23 plea agreement is consistent and in accordance with your
24 understanding of your plea agreement and supplement, and
25 whether you specifically agree to all of these provisions

1 and waivers?

2 DEFENDANT OPDYKE: Yes, Your Honor.

3 THE COURT: In the plea supplement, there's a
4 recommendation that's set forth by the Government that's
5 been referred to previously. And I often follow
6 recommendations, but the plea agreement also says that I'm
7 not bound by it. Do you understand that?

8 DEFENDANT OPDYKE: Yes, Your Honor.

9 THE COURT: If I should impose a sentence that you
10 don't like, do you realize -- or different from what you
11 anticipate from the agreement, do you realize that you
12 won't then be able to withdraw your guilty plea and demand
13 a trial?

14 DEFENDANT OPDYKE: Yes, Your Honor.

15 THE COURT: Nor will you be able to appeal your
16 conviction or sentence, because you've given that up in the
17 plea agreement that you made.

18 DEFENDANT OPDYKE: Yes, Your Honor.

19 THE COURT: Very well, then. Let the plea agreement
20 and supplement be filed with the clerk and made a part of
21 the record in this case, the supplement to be filed under
22 seal.

23 MR. REYNOLDS: Yes, sir.

24 THE COURT: Let the Government state the factual
25 basis for the plea.

1 MS. CHALK: Thank you, Your Honor.

2 The Government, if put to its burden at trial, we
3 would show in this case, and that the defendant and the
4 Government have stipulated to the facts contained in
5 paragraph 8 of the plea supplement: That on January 24th,
6 2023, Daniel Opdyke was employed as a patrol deputy with
7 the Rankin County Sheriff's Office.

8 Opdyke worked the 11:00 a.m. to the 11:00 p.m. shift
9 along with Lieutenant Jeffrey Middleton and Deputy Hunter
10 Elward. Their shift called themselves the "Goon Squad"
11 because of their willingness to use excessive force and not
12 to report it. Middleton provided Opdyke with a challenge
13 coin with the unofficial Goon Squad logo on one side and
14 the official Rankin County Sheriff's Office logo on the
15 back.

16 On January 24th, 2023, Christian Dedmon, a narcotics
17 investigator with the Rankin County Sheriff's Office, sent
18 a text message to Opdyke, Middleton, and Elward asking
19 them, "Are y'all available for a mission?" Dedmon messaged
20 the group that they were going to the property on Conerly
21 Road and warned them, "There's a chance of cameras...let's
22 approach east and work easy." Opdyke understood "work
23 easy" to mean knock on the door, rather than kick it down.

24 Elward texted back an eyeroll emoji, and Opdyke
25 texted a GIF of a baby crying. Dedmon messaged the group,

1 "If we don't see cameras, go." Opdyke understood that to
2 mean if they did not see surveillance cameras at the
3 property, then they should enter without a warrant. Dedmon
4 messaged the group, "No bad mugshots." Opdyke understood
5 "No bad mugshots" to be a green light to use excessive
6 force on parts of the body not captured by a mugshot.

7 Opdyke, Middleton, and Elward each drove their
8 Rankin County Sheriff's Office-issued vehicles to the Cato
9 Volunteer Fire Department, parked their vehicles, and
10 waited for Dedmon. When Dedmon's truck drove past them,
11 Opdyke, Middleton, and Elward pulled out from the Cato
12 Volunteer Fire Department and followed Dedmon to the
13 property. When they arrived at the property, they all
14 parked in the driveway. Chief Investigator Brett McAlpin,
15 who had been surveilling the property from down the street,
16 pulled in behind them.

17 Noticing a surveillance camera above the front door
18 of the property, Dedmon, Elward, and Opdyke walked around
19 to the carport door, which had no surveillance camera
20 covering it. Dedmon and Opdyke each kicked the carport
21 door, but it did not open. Elward kicked the carport door,
22 and it swung open. Opdyke, Dedmon, and Elward entered the
23 home without consent, a warrant, or exigent circumstances.
24 Opdyke knew that it was unlawful to enter a home without
25 consent, a warrant, or exigent circumstances.

1 Opdyke saw two Black men inside: MJ and EP.
2 Officers issued them commands, and they complied. Dedmon
3 handcuffed MJ and Tased him multiple times. Elward
4 handcuffed EP and Tased him multiple times. Opdyke kicked
5 EP in the ribs. There was no probable cause that MJ or EP
6 had committed any crime, and there was no reason to kick or
7 Tase them.

8 Dedmon asked EP where were they keeping the drugs.
9 Dedmon pulled out his gun, aimed it out the back door, and
10 fired. Dedmon again demanded to know where the drugs were.
11 Opdyke knew it was unlawful for an officer to attempt to
12 coerce a confession by firing a gun, but Opdyke did not
13 intervene.

14 Officers moved MJ and EP to the living room area and
15 yelled at them. The officers accused MJ and EP of taking
16 advantage of the white woman who lived there. The officers
17 said things like "Stay out of Rankin County" and "Go back
18 to Jackson."

19 Opdyke kicked in the padlocked door to the front
20 bedroom and observed, among other things, a BB gun and a
21 white-flesh-toned dildo. Opdyke mounted the dildo on the
22 end of a BB gun and brought the dildo into the living room,
23 where MJ and EP were handcuffed and seated on the couch.
24 Opdyke forced the dildo into the mouth of EP, and attempted
25 to force the dildo into the mouth of MJ. Dedmon grabbed

1 the dildo from Opdyke and slapped EP and MJ in the face
2 with it. Opdyke walked from the living room to the front
3 bedroom. After a short period, Dedmon came into the front
4 bedroom and said something to the effect of, "I tried to
5 put it in his ass and he shat himself."

6 Dedmon forced MJ and EP onto their backs on the
7 floor of the living room. Elward held them down. Dedmon
8 poured milk, alcohol, and chocolate syrup onto their faces
9 and into their mouths. Opdyke was present but did not
10 intervene.

11 MJ and EP were ordered to strip naked and shower
12 off. Their handcuffs were removed. After MJ and EP
13 showered off and changed into clean underwear and sweats,
14 they were handcuffed again and brought to the side bedroom
15 adjacent to the carport. The officers began discussing the
16 comparative strength of their respective Tasers. They
17 decided to test their Tasers on MJ and EP to see which one
18 was the most powerful. Dedmon, Elward, Hartfield, and
19 Middleton each Tased MJ and EP while MJ and EP were
20 handcuffed and not resisting. Opdyke knew that it was
21 unlawful to Tase a handcuffed and compliant arrestee, and
22 that he had a duty to intervene, but Opdyke did not
23 intervene.

24 Elward surreptitiously removed a bullet from the
25 chamber of his gun. Elward forced his gun into MJ's mouth

1 and pulled the trigger. The unloaded gun clicked but did
2 not discharge. Elward racked the slide, forced the gun
3 back into MJ's mouth, and pulled the trigger again. This
4 time, the gun discharged, and MJ collapsed on the floor.

5 All six officers huddled up on the back screened-in
6 porch to discuss what to do. They devised and agreed on a
7 false cover-up story: That Elward brought MJ into the side
8 bedroom to conduct a controlled drug buy over the phone;
9 that Elward had removed MJ's handcuffs; that MJ had reached
10 for a gun; and that Elward shot MJ in self-defense.

11 Middleton offered to plant a "throw-down" gun on MJ.
12 Elward said he would take care of the gun. Dedmon said he
13 would take care of the drugs, and Opdyke understood those
14 comments to mean that Elward would plant a gun on MJ and
15 Dedmon would plant the drugs on MJ. Opdyke knew that it
16 was unlawful to plant evidence on a suspect, but he did not
17 intervene.

18 McAlpin ordered them to get rid of the surveillance
19 system. Hartfield and Opdyke returned to the side bedroom.
20 Opdyke unplugged the surveillance system, and Hartfield
21 grabbed the hard drive. When Opdyke returned to the side
22 bedroom, MJ was no longer handcuffed, and a toy gun that
23 Hartfield had previously seen in the front middle bedroom
24 was planted next to MJ. That's the reference to the BB
25 gun.

1 In order to limit the number of witnesses to the
2 shooting, the officers agreed to tell investigators at the
3 time of the shooting McAlpin and Middleton had left the
4 property and were driving home. Dedmon and Hartfield were
5 at Dedmon's truck, and Opdyke was escorting EP to a patrol
6 car.

7 In order to corroborate his false cover story,
8 McAlpin told Dedmon that he was leaving and to call him in
9 a few minutes. McAlpin drove off in his Rankin County
10 Sheriff's Office-issued vehicle, which was enabled with GPS
11 tracking. Dedmon called him, and then McAlpin returned to
12 the scene.

13 McAlpin said that he would take care of EP. McAlpin
14 ordered Opdyke to take EP from the side bedroom and put him
15 in the back of Opdyke's patrol car, and then unlock the
16 back door so McAlpin could talk to EP.

17 Several officers began looking for shell casings
18 fired from Dedmon's gun. Opdyke picked up the shell casing
19 in the hallway from Dedmon's first shooting. Opdyke and
20 the other officers looked for but could not find the shell
21 casing from Dedmon's second shooting.

22 While Opdyke and the other officers were attempting
23 to cover up their misconduct, MJ was bleeding in the side
24 bedroom. Opdyke understood that he and the other officers
25 had a duty to render medical aid to MJ. Opdyke did not

1 provide medical aid, and Opdyke did not observe any other
2 officer providing medical aid.

3 Later that night on his drive home, Opdyke put the
4 shell casing in a water bottle, secured the top, and threw
5 the bottle into tall grass on the side of Cato Road in
6 Braxton, Mississippi.

7 Opdyke wrote and submitted a false report, knowing
8 at the time it was false, for the purpose of covering up
9 their misconduct. Opdyke was interviewed by investigators
10 with the Mississippi Bureau of Investigation, and Opdyke
11 lied to the Mississippi Bureau of Investigation
12 investigators and withheld material information for the
13 purpose of covering up their misconduct. Opdyke knew that
14 as a law enforcement officer, it was unlawful to write a
15 false report and give a false statement to investigators.

16 All this conduct occurring in Rankin County, in the
17 Northern Division of the Southern District of Mississippi
18 and within the jurisdiction of this Court.

19 THE COURT: Mr. Opdyke, in presenting the factual
20 basis for the plea, counsel referenced, as she called it, a
21 stipulation between the Government and you and represented
22 that you had agreed to all this. Now, having heard her
23 state all of these facts, is everything that she said true
24 and correct?

25 DEFENDANT OPDYKE: Yes, Your Honor.

1 THE COURT: Is there anything that you dispute or
2 you take issue with?

3 DEFENDANT OPDYKE: No, Your Honor.

4 THE COURT: Are you, in fact, guilty of these
5 various offenses -- excuse me -- these various offenses:
6 Count 1, Count 2, Count 3, Count 6, Count 7, Count 10,
7 Count 11, and Count 12?

8 DEFENDANT OPDYKE: Yes, Your Honor.

9 THE COURT: Are you guilty of all of these counts --

10 DEFENDANT OPDYKE: Yes, Your Honor.

11 THE COURT: -- that are set forth in the
12 information?

13 Since you admit that you're in fact guilty as
14 charged in the information and since you know and
15 understand your right to a trial and what the maximum
16 possible punishment is and since you're appearing
17 voluntarily before the Court, I'm accepting your guilty
18 plea, and will enter a judgment of guilty in your case as
19 to all of these counts.

20 A presentence investigation will be conducted by the
21 probation office. As part of the investigation, the
22 probation officer will be interviewing you and with your
23 client [sic] having an opportunity to be there and
24 talking -- covering the facts of the case and just
25 information about you.

1 Once the presentence investigation has been
2 concluded, the probation office will prepare and submit a
3 presentence investigation report. You and your attorney
4 will have access to that report. If you contend that there
5 are errors in the report, both as to matters of fact and
6 guideline sentence application, then your attorney may take
7 that up with the probation officer and file written
8 objections. If there are any objections that are
9 unresolved on the day of sentencing before I impose
10 sentence, you can present anything that you contend
11 supports your position as to such issues or disputes, and I
12 will resolve it.

13 I'm going to -- as I've indicated, and you've been
14 in the courtroom, I'm going to set a date or dates for
15 sentencing a little bit later when I've finished with the
16 pleas.

17 Do you have anything further from the Government or
18 the defendant?

19 MS. CHALK: Your Honor, we do move the defendant be
20 continued to be detained pursuant to Title 18, United
21 States Code, Section 3143.

22 THE COURT: That motion is granted.

23 MR. REYNOLDS: Nothing further from the defendant,
24 Your Honor.

25 MS. THOMAS: Counsel needs to sign the plea

1 agreement.

2 THE COURT: Ma'am, I'm sorry?

3 MS. THOMAS: Counsel needs to sign the plea
4 agreement.

5 THE COURT: Okay. The plea agreement is not signed
6 by counsel.

7 MS. THOMAS: By the Government.

8 MR. REYNOLDS: We signed it.

9 MS. CHALK: May we approach?

10 THE COURT: Okay. All right. Thank you.

11 MR. REYNOLDS: We'll get that handled.

12 THE COURT: That concludes this hearing.

13 THE REPORTER: I need a break, Judge.

14 THE COURT: Okay. We'll take a ten-minute recess.

15 (A recess was taken.)

16 THE COURT: We're proceeding now with the sixth
17 defendant in this case, Mr. Hartfield, with counsel,
18 Ms. Gilliam and Mr. Lingold.

19 MS. GILLIAM: Your Honor, I'm going to stand here as
20 well.

21 THE COURT: Yes, ma'am, that's fine.

22 Mr. Hartfield, the Court is now going to resume with
23 the rest of the hearing for you. Let me initially, as I've
24 been doing with the other defendants, explain to you the
25 maximum possible penalties for each one of the counts in

1 which you're charged. I have explained each charge to you,
2 but now comes the explanation of the maximum penalties.

3 In Count 1, conspiracy against rights, there's a
4 maximum penalty of ten years' imprisonment, \$250,000 fine,
5 and three-years term of supervised release, along with \$100
6 special assessment.

7 In Counts 2, 3, 10, and 10 [sic], I'm referencing
8 them as deprivation of rights under color of law, for each
9 of these counts, the maximum term is ten years'
10 imprisonment, \$250,000, and a term of supervised release of
11 three years, and a \$100 special assessment. That's three.
12 They could be aggregated, but it's three per count -- I
13 mean, ten years per count.

14 Then with regard to Count 11, conspiracy to obstruct
15 justice, the maximum penalty is 20 years' imprisonment, a
16 \$250,000 fine, term of three years of supervised release,
17 and a \$100 special assessment.

18 And then on Count 12, I'm referencing it as
19 obstruction of justice, the maximum term of imprisonment is
20 20 years' imprisonment, \$250,000 fine, three years'
21 supervised release, and a \$100 special assessment.

22 Now, I've marched through that pretty fast. Do you
23 understand the maximum penalty on each count, or do you
24 have any questions about any of it?

25 DEFENDANT HARTFIELD: Yes, sir, Your Honor, I

1 understand.

2 THE COURT: Has anyone threatened, coerced,
3 harassed, or intimidated you in any way to persuade you to
4 come to court today to plead guilty?

5 DEFENDANT HARTFIELD: No, sir, Your Honor, they
6 haven't.

7 THE COURT: Are you appearing voluntarily and of
8 your own free will?

9 DEFENDANT HARTFIELD: Yes, sir, Your Honor, I am.

10 THE COURT: Have you entered into a plea agreement
11 with the Government? It would consist of a plea -- one
12 document, plea agreement, and another one a plea
13 supplement.

14 DEFENDANT HARTFIELD: Yes, sir, Your Honor, I have.

15 THE COURT: Did you read, understand, and sign them?

16 DEFENDANT HARTFIELD: Yes, sir, I have, with my
17 attorneys.

18 THE COURT: And you -- I was just about to confirm
19 did you -- whether you did so with your two lawyers.
20 They've been over it with -- them with you and signed them?
21 Both have signed them?

22 DEFENDANT HARTFIELD: Yes, sir.

23 THE COURT: Okay. And let me confirm with counsel.

24 MR. LINGOLD: Yes, Your Honor. We have both gone
25 over -- both myself and Ms. Gilliam have gone over the plea

1 agreement and the supplement line by line with
2 Mr. Hartfield. He does understand.

3 THE COURT: All right. Let counsel for the
4 Government set forth the fundamental terms of the plea
5 agreement.

6 MS. CHALK: Thank you, Your Honor.

7 Defendant Hartfield has agreed to plead guilty to
8 Count 1, 2, 3, 10, 11, and 12 as charged in the criminal
9 information that is before the Court. In exchange for the
10 defendant's agreement, the Government will recommend the
11 defendant be sentenced as set forth in the plea supplement
12 to be filed under seal. The plea agreement and plea
13 supplement have been executed by the defendant, his
14 attorneys, and counsel for the Government. The plea
15 agreement also includes waivers of trial and appellate
16 rights that were previously addressed earlier in the
17 hearing.

18 At this time, Your Honor, the United States requests
19 the Court have the defendant personally confirm that he
20 understands and agrees with the terms of the plea agreement
21 and plea supplement, including the waivers as outlined by
22 the Government.

23 THE COURT: All right. Mr. Hartfield, earlier
24 counsel made an explanation to you of various waivers and
25 provisions, and you indicated that you understood them. Do

1 you remember that this morning?

2 DEFENDANT HARTFIELD: Yes, sir, Your Honor.

3 THE COURT: Now, having had the whole agreement and
4 supplement submitted, do you specifically agree to all of
5 the provisions and terms and waivers that were set forth
6 this morning and in the -- and referenced by counsel and in
7 the instruments, all of that?

8 DEFENDANT HARTFIELD: Yes, sir, Your Honor, I do.

9 THE COURT: The Government made a recommendation
10 or -- in the plea supplement with regard to a sentence. Do
11 you realize that while the Court oftentimes, even usually,
12 follows Government recommendations, I'm not bound to do so,
13 and I have to develop an independent judgment?

14 And I tell you that now that if -- if I should give
15 you a sentence that you're not expecting or that you don't
16 like, you won't then be able to withdraw your guilty plea
17 and demand a trial.

18 DEFENDANT HARTFIELD: Yes, sir, I understand.

19 THE COURT: Nor will you be able to appeal your
20 conviction or sentence, because you've given all that up in
21 the agreements you've made with the Government.

22 DEFENDANT HARTFIELD: Yes, sir, I understand.

23 THE COURT: All right. Then I'll ask counsel to
24 state the factual basis for the plea.

25 MS. CHALK: Thank you, Your Honor.

1 If the Government were put to its burden at trial,
2 we would show in this case, as well as the Government and
3 the defendant stipulating to the facts contained in
4 paragraph 8 of the plea supplement: That on January 24th,
5 2023, Joshua Hartfield was employed as a narcotics
6 investigator and flex officer with the Richland Police
7 Department.

8 Christian Dedmon, a narcotics investigator with the
9 Rankin County Sheriff's Office, invited him to participate
10 in an operation at 135 Conerly Road, in Braxton,
11 Mississippi. Hartfield and Dedmon got into Dedmon's Rankin
12 County Sheriff's Office-issued truck and began driving to
13 the property. On their way, they passed three Rankin
14 County Sheriff's Office vehicles parked at the Cato
15 Volunteer Fire Apartment. Inside those vehicles were
16 Lieutenant Jeffrey Middleton, Deputy Hunter Elward, and
17 Deputy Daniel Opdyke, who pulled out from the Cato
18 Volunteer Fire Department and followed Dedmon and Hartfield
19 to the property.

20 When they arrived at the property, they all parked
21 in the driveway. Chief investigator Brett McAlpin, who had
22 been surveilling the property from down the street, pulled
23 in behind them.

24 Hartfield got out of Dedmon's truck, ran around the
25 property to cover the back door, as Dedmon had instructed

1 him to. Hartfield heard a loud boom, which he understood
2 to be the other officers kicking down the carport door.

3 Hartfield kicked the back door and entered the
4 house. Hartfield observed a Black man in handcuffs, EP,
5 next to Elward and Opdyke. EP had Taser wire sticking out
6 of his body, and Elward and Opdyke were kicking him.
7 Hartfield had been trained to intervene if he observed
8 officers using excessive force on an arrestee. Despite
9 that training and despite having the time and opportunity
10 to intervene, Hartfield did not intervene.

11 Dedmon asked EP where they were keeping the drugs.
12 Dedmon pulled out his gun, aimed it out the back door, and
13 fired. Dedmon again demanded to know where the drugs were.
14 Hartfield knew that it was unlawful for an officer to
15 attempt to coerce a confession by firing a gun, but
16 Hartfield did not intervene.

17 Hartfield walked into the back bedroom. He
18 overheard officers yelling in the living room area. The
19 officers were saying things like "Stay out of Rankin
20 County." "Go back to Jackson." Hartfield also heard the
21 sound of Tasers going off, followed by screams of pain.

22 When Hartfield returned to the living room area, he
23 observed EP and another Black man, MJ, covered in milk and
24 chocolate syrup. MJ and EP were ordered to strip naked and
25 shower off. Hartfield turned on the shower and collected

1 their soiled clothes.

2 McAlpin ordered Hartfield to get rid of the soiled
3 clothes. Hartfield attempted to light them on fire, but
4 they were too wet, so Hartfield disposed of the soiled
5 clothes in the woods behind the property. Hartfield knew
6 that it was unlawful to destroy or tamper with or destroy
7 evidence.

8 When Hartfield came back inside, everyone was in the
9 side bedroom adjacent to the carport. MJ and EP were
10 handcuffed, wearing different clothes, and seated on the
11 floor. The officers began discussing the comparative
12 strength of their respective Tasers, and they decided to
13 test their Tasers on MJ and EP to see which one was most
14 powerful. Dedmon, Elward, Hartfield, and Middleton each
15 Tased MJ and EP while MJ and EP were handcuffed and not
16 resisting. Hartfield knew that it was unlawful to Tase a
17 handcuffed and compliant arrestee.

18 Dedmon and Hartfield stepped onto the adjacent
19 carport. Dedmon drew his gun and fired it into the yard.
20 Shortly thereafter, Hartfield heard a second gunshot coming
21 from the side bedroom. Hartfield stepped back into the
22 side bedroom and observed Elward, Opdyke, MJ, and EP in the
23 room. MJ, who was still in handcuffs, had been shot and
24 was bleeding. Elward said, "I shot him." Hartfield told
25 McAlpin and Middleton what happened, and then all six

1 officers huddled up on the back screened-in porch to
2 discuss what to do. They devised and agreed on a false
3 cover story: That Elward brought MJ into the side bedroom
4 to conduct a controlled drug buy over the phone; that
5 Elward had removed MJ's handcuffs; that MJ had reached for
6 a gun; and that Elward shot MJ in self-defense.

7 Elward said that he would take care of the gun.

8 Dedmon said that he would take care of the drugs.

9 Hartfield understood those comments to mean that Elward
10 would plant a gun on MJ, and Dedmon would plant drugs on
11 MJ. Hartfield knew that it was unlawful to plant evidence
12 on a suspect, but he did not intervene.

13 McAlpin ordered Hartfield to get rid of the
14 surveillance system. Hartfield and Opdyke returned to the
15 side bedroom. Opdyke unplugged the surveillance system,
16 and Hartfield grabbed the hard drive and put it in Dedmon's
17 truck.

18 When Hartfield returned to the side bedroom, MJ was
19 no longer handcuffed, and a toy gun that Hartfield had
20 previously seen in the front middle bedroom was planted
21 next to MJ.

22 In order to limit the number of witnesses to the
23 shooting, the officers agreed to tell investigators that at
24 the time of the shooting, McAlpin and Middleton had left
25 the property and were driving home. Dedmon and Hartfield

1 were at Dedmon's truck, and Opdyke was escorting EP to a
2 patrol car. In order to corroborate his false cover story,
3 McAlpin and Dedmon -- McAlpin told Dedmon that he was
4 leaving and to call him in a few minutes.

5 McAlpin drove off in his Rankin County Sheriff's
6 Office-issued vehicle, which was enabled with GPS tracking.
7 Dedmon called him, and then McAlpin returned to the scene.

8 McAlpin said that he would take care of EP.
9 Hartfield observed McAlpin walk to the patrol car where EP
10 had been taken, open the back door, and talk to EP. After,
11 McAlpin told Hartfield that he had spoken with EP, and that
12 EP would stick to the story.

13 Several officers began looking for the shell casings
14 fired from Dedmon's gun. Hartfield observed Opdyke pick up
15 the shell casing in the hallway from Dedmon's first
16 shooting. Hartfield and the other officers looked for but
17 could not find the shell casing from Dedmon's second
18 shooting.

19 While Hartfield and the other officers were
20 attempting to cover up their misconduct, MJ was bleeding in
21 the side bedroom. Hartfield understood that he and the
22 other officers had a duty to render medical aid to MJ.
23 Hartfield did not provide medical aid, and Hartfield did
24 not observe any other officer providing medical aid.

25 Later that night at Dedmon's house, Dedmon told

1 Hartfield that he would get rid of the used Taser
2 cartridges if Hartfield would get rid of the hard drive to
3 the surveillance system. On his drive home, Hartfield
4 stopped at the Steen Creek Bridge on Highway 469 South near
5 Eagle Post Road in Florence, Mississippi, and threw the
6 hard drive into the creek.

7 Dedmon later told Hartfield that Hartfield needed to
8 write a report about the incident and submit it to the
9 Rankin County Sheriff's Office. Dedmon provided Hartfield
10 a copy of Dedmon's report, and Dedmon told Hartfield to
11 write that Hartfield was at Dedmon's truck at the time of
12 the shooting. Hartfield wrote and submitted a false
13 report, knowing at the time that it was false, for the
14 purpose of covering up their misconduct.

15 Hartfield was interviewed by the investigators with
16 the Mississippi Bureau of Investigation, and Hartfield lied
17 to the MBI investigators, and withheld material information
18 for the purpose of covering up their misconduct. Hartfield
19 knew that as a law enforcement officer, it was unlawful to
20 write a false report and give a false statement to
21 investigators.

22 All of this conduct occurring in Rankin County, in
23 the Northern Division of the Southern District of
24 Mississippi within the jurisdiction of this Court.

25 THE COURT: Mr. Hartfield, Ms. Chalk just

1 represented to the Court what are the facts of the case, a
2 summary of the judgment's case -- of the Government's case,
3 and is there anything that she stated to the Court that is
4 untrue, that you dispute, or with which you disagree?

5 DEFENDANT HARTFIELD: No, Your Honor. I don't
6 dispute anything.

7 THE COURT: Is it all true?

8 DEFENDANT HARTFIELD: Yes, Your Honor.

9 THE COURT: Are you, in fact, guilty of all of the
10 criminal offenses alleged in Count 1, conspiracy against
11 rights; Count 2, Count 3, and Count 10, deprivation of
12 rights under color of law; Count 11, conspiracy to obstruct
13 justice; and Count 12, obstruction of justice?

14 DEFENDANT HARTFIELD: Yes, Your Honor.

15 THE COURT: Since you admit that you're in fact
16 guilty as charged in the information as to all counts,
17 since you understand your right to a trial, since you know
18 what the maximum possible penalty is, and since you're
19 voluntarily pleading guilty, I'm accepting your guilty plea
20 and will enter a judgment of guilty in your case as to all
21 counts.

22 The probation office will initiate and conduct a
23 presentence investigation. During the course of that
24 investigation, you will be interviewed by the probation
25 officer. Your lawyers will have access to that interview.

1 And once the interview has been completed, and together
2 with other information obtained, a written presentence
3 investigation report will be prepared and submitted. You
4 and your counsel will have the chance to review that
5 report, and if you should contend that there are errors in
6 the report, either as to proposed factual findings or
7 guideline sentence application, your counsel can take that
8 up with the probation office and file written objections.

9 Should there be written objections filed that are
10 unresolved by the time of sentencing, I will resolve them
11 after first giving you a chance to present anything that
12 you think supports your position.

13 I'm going -- I'm setting this -- saying this and
14 saying it for all of you, and I'll give you a chance -- I'm
15 about to set the date of a sentencing disposition. If
16 there's any serious questions or conflicts about that,
17 bring it up now. But I'm going to set tentatively the
18 dates of November 14, 15, and 16 for sentencing in this
19 case and in the other case. We'll set specific times, and
20 if counsel have particular problems with those dates or any
21 of those dates, let the Court know promptly, and then we
22 will work out times on those days to have the sentencing
23 dispositions.

24 Is there any -- anything --

25 MR. LINGOLD: May I approach --

1 THE COURT: Yes, sir.

2 MR. LINGOLD: -- and file the plea agreement and
3 supplement that is sealed?

4 THE COURT: I neglected to have that admitted. The
5 plea agreement is admitted, and the plea supplement is
6 admitted under seal.

7 MR. LINGOLD: Thank you, Your Honor.

8 THE COURT: Before the Court adjourns, is there
9 anything from any counsel from any of these parties, the
10 Government, or any of these parties that you need to bring
11 to my attention before we adjourn?

12 MS. CHALK: If I may, Your Honor, specific as to
13 Defendant Hartfield, we do move for detention pursuant to
14 Title 18, United States Code, Section 3143.

15 THE COURT: That motion is granted.

16 MS. CHALK: Thank you, Your Honor.

17 And I would also mention for the record that the
18 victims in this case were notified of the hearings and of
19 their opportunity to attend the hearing.

20 THE COURT: All right. And as I indicated, we'll
21 have some specific times for those three days for
22 sentencing.

23 MR. LINGOLD: Thank you, Your Honor.

24 MS. GILLIAM: Thank you.

25 THE COURT: Is there anything further from any of

1 the counsel or the defendants? Anything to bring to my
2 attention?

3 MS. CHALK: Not in this case, Your Honor. But we're
4 ready to proceed on the next information when the Court is
5 ready.

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CERTIFICATE OF COURT REPORTER

I, Candice S. Crane, Official Court Reporter for the United States District Court for the Southern District of Mississippi, do hereby certify that the above and foregoing pages contain a full, true, and correct transcript of the proceedings had in the forenamed case at the time and place indicated, which proceedings were stenographically recorded by me to the best of my skill and ability.

I further certify that the transcript fees and format comply with those prescribed by the Court and Judicial Conference of the United States.

THIS, the 16th day of October, 2023.

/s/ Candice S. Crane, RPR, RCR, CCR

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